IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FIRST APPELLATE DISTRICT

DIVISION FOUR

CHURCH OF SCIENTOLOGY, INTERNATIONAL, **Plaintiff/Respondent,** **vs.** **GERALD ARMSTRONG,** **Defendant/Appellant.**	)	**NO. A075027**

CLERK'S TRANSCRIPT ON APPEAL

FROM A JUDGMENT MADE AND ENTERED

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

MARIN COUNTY COURTS

VOLUME 29

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IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

MARIN COUNTY COURTS

DEPARTMENT 1

CHURCH OF SCIENTOLOGY, INTERNATIONAL, Plaintiff, vs. GERALD ARMSTRONG, Defendant.	No. 157680

GARY W. THOMAS	JUDGE
JOHN P. MONTGOMERY	COURT EXECUTIVE OFFICER
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THE TOTAL FREEDOM TRAP

Scientology, Dianetics and L. Ron Hubbard

by Jon Atack

7983

This booklet is dedicated to the memory of Khushroo Motivala

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Proceeds from this booklet go toward further research into Scientology and other manipulative systems.

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SCIENTOLOGY, DIANETICS
and L. RON HUBBARD
THE TOTAL FREEDOM TRAP

> "Scientology is a religious philosophy in its highest meaning as it brings man to Total Freedom."
> —L. Ron Hubbard, *Religious Philosophy and Religious Practice*, 21 June 1960, revised 18 April 1967.

> "An endless *freedom from* is a perfect trap, a fear of all things ... Fixed on too many barriers, man yearns to be free. But launched into total freedom he is purposeless and miserable."
> —L. Ron Hubbard, *The Reason Why*, 15 May 1956.

The work of L. Ron Hubbard has been surrounded by controversy since he first announced his "modern science of mental health" in 1950. His followers assert that he is not only the reincarnation of Buddha but also Maitreya, who according to Buddhist legend will lead the world to enlightenment.

To Scientologists, L. Ron Hubbard is quite simply the wisest, the most compassionate and the most perceptive human being ever to draw breath.

Yet, Hubbard was dubbed "schizophrenic and paranoid" by a California Superior Court judge, and Scientology dismissed as "immoral and socially obnoxious" by a High Court judge in London. Scientologists have been convicted of criminal offences in Canada, the USA, Denmark and Italy.

An enormous amount of documented evidence demonstrates that Hubbard was not what he claimed to be, and that his subject does not confer the benefits claimed for it.

The Church of Scientology is an enormously wealthy, global organization, with over 270 churches and missions. Using profoundly invasive hypnotic techniques, Scientology has managed to inspire the at times fanatical devotion of tens of thousands of previously normal and intelligent people.

INVOLVEMENT

Most people come to Scientology when their lives are in crisis. Scientology uses manipulative recruiting techniques to heighten vulnerability, and falsely promises a solution for almost any problem. From the beginning, the new recruit is subjected to techniques which induce euphoria. The desire for this euphoric state can be likened to a drug addiction, often rendering members all but incapable of critical thinking with regard to Scientology.

The Church of Scientology very rapidly comes to dominate the member, prohibiting contact with anyone hostile to the movement, and insisting that a huge conspiracy exists which is intent upon destroying Scientology. The mark of a fanatic is the inability to even consider evidence. Unfortunately most Scientologists simply close their eyes and ears to criticism.

L. RON HUBBARD

> "The evidence portrays a man who has been virtually a pathological liar when it comes to his history, background and achievements. The writings and documents in evidence additionally reflect his egoism, greed, avarice, lust for power, and vindictiveness and aggressiveness against persons perceived by him to be disloyal or hostile."
> —California Superior Court Judge Breckenridge, speaking of L. Ron Hubbard, in a 1984 decision.

Lafayette Ronald Hubbard, creator of Dianetics and Scientology, was born in the United States, in 1911. Hubbard claimed he could ride before he could walk, and that he was riding broncos at the age of three-and-a-half, by which time he could also allegedly read and write.

He also claimed to have been a bloodbrother of the Blackfoot Indians by the age of four. However, the Blackfoot Indians dismiss "bloodbrothers" as a Hollywood fantasy, and there is no more truth in Hubbard's other boasts. His early life was undistinguished, and one childhood friend recalls that Hubbard was actually afraid of horses. Hubbard asserted that his grandfather was a wealthy cattle-baron. Factually, Lafayette Waterbury was a small town veterinarian, who ran a series of failing businesses.

Hubbard said that his interest in the human mind was sparked by a meeting with Commander Thompson, a U.S. Navy doctor, when he was twelve. However, Hubbard's extensive teenage diaries—used as evidence in a California court case—show no interest in psychological or philosophical ideas.

Hubbard told his followers that he spent five years—between the ages of fourteen and nineteen—travelling alone in China, Mongolia, India and Tibet, and studying with holy men. He did not actually visit Mongolia, India nor Tibet. His two visits to China were short excursions in the company of his mother. Hubbard confessed the brevity of his Chinese stay in an interview with *Adventure* magazine in 1935.

Hubbard was nineteen when he entered George Washington University, where he intended to major in Civil Engineering. He failed to qualify for the third year of the course, because his grades were too low. It would later be claimed that Hubbard had degrees in both civil engineering and mathematics. He graduated in neither, and his grades in mathematics were very poor. While at University, Hubbard also failed a short course in "molecular and atomic physics", which prompted his ludicrous assertion that he was "one of America's first Nuclear Physicists".

EXPEDITIONS

During his last semester at University, Hubbard arranged the "Caribbean Motion Picture Expedition". It was later asserted that this expedition provided "invaluable data" to the University of Michigan and the Hydrographic Office, neither of which have any record of it. In fact, the trip was announced in the University newspaper under the heading "L. Ron Hubbard Heads Movie Cruise Among Old American Piratical Haunts".

In the event, the expedition reached only three of its sixteen proposed ports of call, failing to take any film. In a 1950 interview, Hubbard dismissed it as "a two-bit expedition and a financial bust".

Hubbard's second supposed expedition was described by him as the "first complete mineralogical survey" of Puerto Rico. Again, there are no records of such a survey, because Hubbard seems to have spent most of his time in Puerto Rico prospecting unsuccessfully for gold. He worked briefly as a civil engineer's assistant before returning to the U.S.

In February 1940, Hubbard talked his way into membership of the Explorers' Club of New York, and was awarded an expedition flag for his proposed "Alaskan Radio Experimental Expedition". Hubbard was trying out a new system of radio navigation, and used the "expedition" to beg equipment to refit his 32-foot ketch, the *Magician*. Claims made by the Scientologists that the expedition was commissioned by the U.S. government are unfounded.

Writing to the *Seattle Star* in November 1940, Hubbard complained that the "expedition" had been hindered by repeated failures of the *Magician's* engine. Hubbard and his first wife spent most of their time stranded in Ketchikan, Alaska, while he tried to write enough stories to pay for costly engine repairs. Eventually, he used borrowed money to leave Alaska—money he failed to repay.

PULP FICTION

The Scientologists have claimed that upon leaving college Hubbard "went straight into the world of fiction writing and before two months were over had established himself in that field at a pay level which, for those times, was astronomical".

Factually, it took Hubbard several years to make even a precarious living from his writing. He wrote under such stirring pen names as Rene Lafayette, Tom Esterbrook, Kurt von Rachen, Captain B.A. Northrup, and Winchester Remington Colt. Under the name Legionnaire 148, Hubbard concocted "true" stories about his supposed exploits in the French Foreign Legion, but mainly he churned out adventure stories for the cheap "pulp" magazines.

He contributed to many such magazines, including *Thrilling Adventures*, *The Phantom Detective* and *Smashing Novels Magazine*, eventually turning to science-fiction and writing chiefly for *Astounding Science Fiction*. His pulp stories include "The Carnival of Death", "King of the Gunmen" and "Man-Killers of the Air". By the time he created Dianetics, in 1950, he was writing imaginative, if rather unstylish, science-fiction, and exploring ideas which he would later incorporate into Scientology.

THE WAR YEARS

Hubbard's eyesight had prevented his admission to the U.S. Naval Academy, prior to his enrollment at University. In 1941, he was accepted into the Navy Reserve after receiving a waiver for his inadequate vision.

Many outlandish claims were made by Hubbard about his achievements while in the U.S. Navy. For instance, he bragged that he had been the first returned casualty from the Far East. In fact, he was shipped to Australia in December 1941, and he sufficiently antagonised his superiors to be returned to the U.S. after only a few months. After his return, in March 1942, Hubbard was posted as a mail censor in New York.

The Scientologists have boasted that Hubbard "rose to command a squadron". Factually, he oversaw the refitting of two small vessels in U.S. harbours. His second such command was withdrawn after a cruise down the west coast. During the course of this journey, Hubbard managed to involve a number of craft in a 55-hour battle against what he believed to be two Japanese submarines. The incident was reviewed by Admiral Fletcher who pronounced "an analysis of all reports convinces me that there was no submarine in the area ... The Commanding Officers of all ships except the PC-815 [commanded by Hubbard] state they had no evidence of a submarine and do not think a submarine was in the area."

Hubbard completed this "shakedown cruise" by firing on a fortunately uninhabited Mexican island. He was removed from command, and Rear Admiral Braisted wrote in a fitness report, "Consider this officer lacking in the essential qualities of judgment, leadership and cooperation. He acts without forethought as to probable results ... Not considered qualified for command or promotion at this time. Recommend duty on a large vessel where he can be properly supervised."

The advice was followed, and Hubbard served briefly as a navigation officer aboard the USS Algol, before its departure from U.S. waters. Hubbard was one of hundreds of officers transferred to the School of Military Government on the campus of Princeton University. This was to lead to Hubbard's later and completely false boast to have graduated from Princeton. In a more candid moment, Hubbard said that he "flunked" his overseas examination.

WAR WOUNDS

At different times, anywhere from 21 to 27 medals have been claimed for Hubbard, including a Purple Heart, awarded only to those wounded in combat. Not only was Hubbard not wounded, but apart from his imaginary submarine battle, he never saw combat. He received four routine service medals for his duty in Australia and the U.S.

In an article called "My Philosophy", Hubbard claimed to have been "blinded with injured optic nerves, and lame with physical injuries to hip and back, at the end of World War II ... My Service record stated ... 'permanently disabled physically'." Elsewhere, Hubbard said that a few days before the end of the war, he managed to get the better of three petty officers in a fight in Hollywood.

In contradictory accounts, Hubbard claimed to have spent either one or two years at Oak Knoll Naval Hospital, developing Dianetics and curing his injuries through its use. The origin of Dianetics is obscured by conflicting

Scientology accounts, which variously assert that his recovery came in 1944, 1947 or 1949.

Factually, Hubbard spent the last months of the war largely as an outpatient at Oakland Naval Hospital. His chief complaint was an ulcer, though between his admission to hospital and his separation from the Navy his eyesight deteriorated markedly. This visual deterioration became part of his pension claim to the Veterans Administration.

SEX MAGICK

With his separation from the Navy, Hubbard abandoned his first wife and their two young children to take up the practice of "Magick". Hubbard had experienced a peculiar hallucination in 1938, while under nitrous oxide during a dental operation. He believed that he had died during the operation and while dead been shown a great wealth of knowledge. Upon his recovery, he wrote a book called *Excalibur*, but was unable to find a publisher.

Hubbard's interest in the occult also led to a brief membership in a Rosicrucian group. He told a friend that he believed himself protected by a guardian spirit whom he called "the Empress", and he was to repeat this claim to one of his followers many years later. In 1945, Hubbard took up with Jack Parsons, head of the Pasadena lodge of Aleister Crowley's *Ordo Templi Orientis.*

Crowley styled himself "the Beast 666", servant of the Antichrist, and advocated the use of addictive drugs and bizarre sexual practices. Jack Parsons was a chemist and an early member of Jet Propulsion Laboratory in California, but his passion was Magick (as Crowley respelled the word). Hubbard and Parsons performed sexual ceremonies to summon a woman willing to become the mother of "Babalon", the incarnation of evil.

The affair ended with Hubbard running off not only with Parsons' girl, Sara, but also with his money. Hubbard married Sara Northrup bigamously, and started to write pathetic letters applying for a war pension. In October 1947, when according to later accounts he had "cured" himself through Dianetics, Hubbard admitted to suicidal tendencies and begged for psychiatric help in a letter to the Veterans Administration.

Hubbard continued to perform black magic rituals and started to use self-hypnosis, confiding to his notebook such hypnotic affirmations as "all men are my slaves". His personal papers also make it clear that he was deliberately pretending war-related ailments so that he could claim a pension increase.

By this time, Hubbard was already addicted to the barbiturate drugs originally prescribed for his ulcer. His drug use continued during his Scientology career, even though he was to sponsor the Scientology anti-drug group *Narconon.* Although Dianetics claims to overcome compulsions with ease, Hubbard was unable to kick the tobacco habit, and chain-smoked over 80 cigarettes a day.

DIANETICS

> "Hypnotism was used for research, then abandoned."
> — L. Ron Hubbard, *Dianetics: the Modern Science of Mental Health.*

Hubbard gave stage demonstrations of hypnosis in 1948, and wrote to his literary agent about a new project with many selling "angles". Marrying hypnotic technique to research long abandoned by Freud, Hubbard came up with Dianetics. In 1950, he modified the hypnotic technique without further "research" to write the book *Dianetics: the Modern Science of Mental Health.*

In a 1909 lecture, Freud explained a method for uncovering traumatic memories. Patients were asked to recall earlier and earlier life incidents on a "chain" until the emotional "charge" was released. Hubbard not only took the technique, he even retained several of the expressions used by the translator of these lectures. Freud had abandonded the technique, because it was laborious and completely failed to uncover key repressions. In fact, after sometimes providing initial relief, Dianetics all too often deteriorates into the dangerous conviction that entirely imaginary incidents are literal truth.

Hubbard took Freud's technique, added a little of the then-popular General Semantics, and asserted that the "basic" or original traumatic incidents had occurred in the womb. In this he was following the work of Otto Rank, Nandor Fodor and J. Sadger. Hubbard also asserted that it was actually possible to recall prenatal incidents, right back to conception (the "sperm dream"). Fodor too had written of prenatal memory.

Hubbard redefined the existing term "engram" as a label for traumatic incidents where the individual has lost consciousness. *Dianetics: the Modern Science of Mental Health* proclaims that by "erasing" these engrams, the individual is freed from compulsions, obsessions, neuroses, and such conditions as heart trouble, poor eyesight, asthma, colour blindness, allergies, stuttering, poor hearing, sinusitis, high blood pressure, dermatitis, migraine, ulcers, arthritis, morning sickness, the common cold, conjunctivitis, alcoholism and tuberculosis. Hubbard soon claimed cures for cancer and leukaemia.

No scientific evidence for these claims has ever been produced.

Once the first engram (or "basic-basic") has been erased, the individual is supposedly "Clear", free from all deficiencies, and possessed of a high IQ. After repeated challenges, Hubbard eventually put a Clear on show in August 1950, at the Shrine Auditorium, in Los Angeles. Despite Hubbard's claims that a Clear would have "a near perfect memory", the woman, a Physics major, was unable to remember a basic physics formula. She could not even recall the colour of Hubbard's tie when his back was turned.

Dianetics sold 150,000 copies before being withdrawn from sale by its publisher. The American Psychological Association cautioned would-be Dianeticists that no scientific evidence for the many claims made in *Dianetics* had been forthcoming. There can be no doubt that Hubbard had invented both cases and statistics to write the book.

Hubbard's following diminished as people realized that his claims were grossly exaggerated, and with the collapse of the first Dianetic Foundations and Hubbard's second marriage. Sara Hubbard charged that her husband had tortured her with sleep deprivation, drugs and physical attacks. She claimed that he had once strangled her until the eustachian tube to her left ear ruptured, leaving her hearing impaired. Hubbard fled to Cuba, after seizing their baby daughter, in what proved to be a successful attempt to silence Sara.

With the backing of millionaire Don Purcell, Hubbard was able to return to the United States, where Sara accepted a divorce settlement. She withdrew her earlier claims, in return for their infant daughter, whom she had not seen for several months.

The new Wichita Foundation soon ran into trouble, and Hubbard abandoned it to its creditors, accusing Don Purcell—who had earlier saved him—of accepting $500,000 from the American Medical Association to ruin him. This was far from the last display of paranoia on Hubbard's part.

SCIENTOLOGY

> "We've got some new ways to make slaves here."
> —L. Ron Hubbard, Philadelphia Doctorate Course lecture 20, 1952.

February 1952 found Hubbard penniless, and stripped of both the rights to Dianetics and most of his following. One of his associates stole the mailing lists of the Wichita Foundation, and Hubbard started to send out ridiculous attacks upon the Foundation and increasingly pathetic requests for money.

He also gave the Hubbard College lectures to a tiny audience, and within six weeks had created a new subject apparently out of thin air. He was later to admit his admiration for Aleister Crowley ("my very good friend"), and in fact the fundamentals of Scientology have much in common with Crowley's "magickal" ideas—mixed in with a large helping of science fiction.

With Scientology, Hubbard asserted that we are all spiritual beings ("theta-beings", and later "thetans"), who have lived for *trillions* of years, incarnating again and again. He claimed that through the use of his new techniques, anyone could achieve supernatural powers. In 40 years, no scientific evidence has been provided for these claims.

During the Hubbard College lectures, Hubbard also introduced the Electrometer, or E-meter, designed by Dianeticist Volney Mathison. The E-meter is actually a lie detector, closely related to the machine used in police polygraphs in the U.S.

In *Dianetics: the Modern Science of Mental Health*, Hubbard claimed "Dianetics cures, and cures without failure". Two years later, he dismissed these earlier techniques as "slow and mediocre". He now claimed that with Scientology, "the blind again see, the lame walk, the ill recover, the insane become sane and the sane become saner".

MENTAL SCIENCE BECOMES RELIGION

> "I'd like to start a religion. That's where the money is."
> —L. Ron Hubbard to Lloyd Eshbach, in 1949; quoted by Eshbach in *Over My Shoulder*.

In several conversations in the late 1940s, Hubbard had assured listeners that the best way to get rich was to start a religion. By the time of his death, in 1986, it is alleged that Hubbard had amassed a personal fortune of over $640 million through Scientology (despite claims that he didn't even take a royalty from his books).

In April 1953, Hubbard wrote to one of his deputies asking what she thought of "the religion angle". Later that year, he incorporated the Church of Scientology, which was licensed by his Church of American Science. The incorporation was kept secret, so that Hubbard could distance himself from it.

It was only in the late 1960s, with increasing criticism of its methods by western governments, that Scientology retreated behind the trappings of religion. Scientology "ministers" take a course in comparative religion based upon a single book, and read the few ceremonies written by Hubbard. Their training takes a few days. They dress in imitation of Christian ministers, including a dog collar and a Christian-seeming cross. In fact, the cross is a Scientology cross, which clearly imitates that of Hubbard's role model, magician Aleister Crowley. It is actually a satanic "crossed out" cross.

THE PERSONALITY TEST

Scientology recruits most of its followers from the street by offering a free personality test. The Oxford Capacity Analysis (OCA) was written by a Scientologist who was a former merchant seaman, with no psychological training. It has no connection with Oxford University, and derives ultimately from the Johnson Temperament Analysis Profile.

The current 200 question test provides Scientology with detailed personal information. In the past, the Church of Scientology has proved more than willing to use supposedly confidential information against former members.

In 1991, a letter to Scientology recruiters offered a course teaching "how to tell people the results of their OCA so that they will reach for Scientology". Another internal document says that the Test Evaluator "is to point out to the person by means of a personality test evaluation what is ruining his life, and to show him how Scientology can save him from that ruin ... when you point out a low score ... say 'Scientology can handle that'." The test is designed to ensure that very few people have an acceptable personality profile.

Scientology sales staff ("registrars") are extensively trained and drilled in hard-selling techniques. The first stage of recruitment is to focus the person's attention on the most distressing areas of his or her life (the "ruin"). Hypnotherapists might call this an "emotional induction". Any intense emotion tends to overwhelm critical thinking. The coolness of rational thinking is distinct from the heat of the emotions. The recruiter then plays upon the person's fear that the condition will worsen. Then the "solution" of Scientology is offered.

Whatever the problem is, the immediate solution will almost always be a Communication Course, and indoctrination into Hubbard's ideas about "Suppressive Persons".

TECHNIQUES

> "Scientology is evil; its techniques evil; its practice a serious threat to the community, medically, morally and socially."
> —Report of the Board of Inquiry into Scientology for the state of Victoria, Australia, 1965.

While the basic ideas of Scientology had nearly all been expressed by the end of 1952, Hubbard continued to pour out new techniques that were "guaranteed" to cure all human ills. He borrowed from many forms of therapy and meditation to create an elaborate "Bridge" which he claimed led to "total freedom".

Scientology indoctrination usually begins with the Communication Course Training Routines or "TRs". These are supposed to enhance the ability to communicate, but have been called by one expert "the most overt form of hypnosis used by any destructive cult".

In the first TR, two people sit silently facing each other, with their eyes closed. In the second, they stare at each other, sometimes for hours on end, inducing hallucinations and an uncritical euphoria.

In the next stage, TR-0 Bullbait, the student has to sit motionless, while the "coach" does everything possible to disturb him or her. The student progresses to reading aloud disconnected phrases from *Alice in Wonderland*, and then to acknowledging statements read out at random from the same text. Then comes TR-3, where the student repeatedly asks the coach either "Do fish swim?" or "Do birds fly?". In the last "Communication Course" Training Routine, the student again asks one of these questions repeatedly, learning not to be distracted by anything the coach says or does.

Repetition is another way of inducing an altered or trance state. Following these procedures definitely makes the individual more susceptible to direction from Scientology.

From the Communication Course, the new recruit will usually go onto the "Purification Rundown", after a meeting with a Scientology salesperson, who convinces the recruit that the Rundown is well worth the high price demanded for it. Those on the "Purification Rundown" take extremely high doses of vitamins and minerals, and combine running and sauna treatment for five hours each day. Such high doses of vitamins can create various physiological reactions, including drug-like experiences. Hubbard attributed these reactions to stored drugs and pollutants being removed from the body. He even made the ridiculous claim that LSD lodges in fatty tissue. As LSD is both highly unstable and water soluble, this is impossible, but it shows Hubbard's usual scientific ignorance. The heat exhaustion brought on by the sauna can lead to euphoric experiences, yet again weakening critical thinking.

The sequence of steps on the Scientology Bridge has changed from one year to the next. After the "Purification Pundown"—and another interview with a salesperson—the recruit might well go on to the "Hubbard Key to Life Course" (at a cost of £4,000 or $8,000). This supposedly undercuts all previous education by returning the individual to the basics of literacy. Factually, because it treats all clients as pre-school children, it tends to cause age regression, making people yet more susceptible to Scientology.

From the "Hubbard Key to Life Course," the individual moves on to the "Hubbard Life Orientation Course" and thence to the "Objective Processes."

There are several hundred Scientology counselling procedures or "auditing processes". The "Objectives" were first introduced in the 1950s. Hubbard asserted that it is necessary to show the individual that reactive impulses can be controlled by being put under the control of another person (the Scientology "auditor"). This might be more simply termed "mind control". On the Objective Processes, the individual is given strict orders to repeat an overwhelmingly tedious cycle of behaviour.

In "Opening Procedure by Duplication", for example, the auditor and the client or "pre-clear" are alone in a room with a table at either end. On one table is a book, on the other a bottle. The preclear will be instructed, with unvarying wording, to look at the object at the other side of the room, to walk over to it, to pick it up and to identify its colour, weight and temperature. Sessions often run to two hours, and cases of 18 such sessions for this single "process" are not unheard of. Eventually, this arduous ritual leads to a sensation of floating, believed to be "exteriorization from the body" in Scientology—but a common side effect of hypnotic trance.

The Scientology Bridge is laid out in a series of steps, or grades, each with a purported result. On Grade Zero, for example, clients are meant to achieve the ability to "communicate freely with anyone on any subject". A Grade One "release" is supposedly without problems.

In 1959, Hubbard introduced "security checking", where Scientologists are interrogated, having to answer long, prepared lists of questions about their moral transgressions. The E-meter is used as a lie detector throughout these "sessions". A careful record is kept of all confessions, and this has proved to be a highly effective means of silencing dissidents.

This procedure, renamed "integrity processing", using exactly the same lists of questions as the earlier "security checks", finds a place on Grade Two, and is frequently repeated beyond it (at a cost ranging from £130 to £260, or $250 to $500, per *hour*). Scientology presumes that *any* of its members might become a security risk at any time. There is justification for this suspicion, as thousands have left the movement, including many leading lights.

There are two further release grades, before the "preclear" starts on the current form of Dianetic auditing. In New Era Dianetics, the preclear is asked to re-experience incidents from "past lives", which can lead to strange delusions on the part of Scientologists, compensating for the shortcomings of their real lives. Through Dianetics, preclears are supposed at last to become Clear, with the realization that they no longer need their "Reactive minds", where engrams are supposedly stored.

Once "Clear", they are ready for the Advanced Courses of Scientology, the "Operating Thetan" or "OT" levels.

THE SECRET LEVELS

In 1952, Hubbard claimed that after Scientology auditing and indoctrination anyone would become "capable of dismissing illness and aberration from others at will". Scientologists have undertaken hundreds, and sometimes thousands, of hours chasing this illusion and Hubbard's often-repeated promises of supernatural abilities. In the late 1960s, Hubbard released his Operating Thetan levels. An Operating Thetan is an individual supposedly capable of "operating" without need of a body, and Hubbard made many sugared claims for his extremely expensive OT levels.

The OT levels are kept secret by the Church of Scientology; however, the contents of most have long since been public knowledge. The first OT level consists of a series of drills, such as walking along the street counting people until one feels euphoric and has some sort of "realization". In 1992, "OT section 1" was listed at £1,000 or $2,200.

On the second level (costing £2,000 or $4,200) the "pre-OT" battles with seemingly endless lists of phrases and their contradictions ("I must exist" and "I mustn't exist", for example), often having to imagine seeing a light and feeling a shock at each phrase. At least one victim endured 600 hours of this mind-numbing ritual.

The pre-OT parts with a "minimum donation" of £3,400 or $7,200 to traverse the OT 3 "wall of fire". On OT 3, the recipient is assured that 75 million years ago the Earth was part of a Galactic Confederation ruled by an evil prince called Xenu. The Confederation suffered from massive overpopulation, so Xenu devised a scheme whereby the peoples of some 76 planets were shipped to earth and annihilated. The spirits or thetans of these victims were exploded, by putting H-bombs in volcanoes, and gathered on "electronic ribbons". Then they were "implanted" for 36 days with images of the future societies of Earth. According to Hubbard, all cultures and religions since derive from these hypnotic implants. He said, for example, that Christ is an illusion implanted at this time.

After implanting, the thetans were packaged together in clusters, and, according to OT 3, everyone alive is a mass of such clusters. The levels from OT 4 to 7 also deal entirely with these clusters and the "body thetans" which make them up. Anyone hearing of this material will supposedly become ill and die within days. However, towards the end of his life, Hubbard wanted to release the story (certainly one of his best) as a movie, to be called "Revolt in the Stars".

The contents of OT 8, released after Hubbard's death, and the highest level so far available, have been shrouded in secrecy. OT 8 is only available aboard Scientology's cruise ship, the *Freewinds*, after extensive Security Checking has ensured unquestioning dedication to Hubbard and his teachings. One former member asserts that the level deals with the individual's relationship to the divine. Rather than addressing the deity through prayer, however, the Scientologist is asked to remember times in former incarnations when he or she encountered God. The individual is then to remember what problems were solved by believing in God (the "prior confusion" which made them vulnerable to belief). In this way, belief in God is undermined.

On OT 8, Scientologists are allegedly taught that they exist in parallel universes, and are told to disconnect from their parallel selves. Finally, the Scientologist is to re-experience moments of his or her own creation, and discover any abandoned aspects of the self. This supposedly leads to a major realization about God. Former members who have suffered through this nonsense assert that the desired realization is that Hubbard created all the living beings in the universe. A leaked OT 8 Bulletin, which may or may not be genuine, claims that Hubbard is in fact the antichrist.

ETHICS

Hubbard stepped up his control over his followers in the mid-1960s with the introduction of various so called "ethics" procedures. Anyone who criticises Hubbard or Scientology is labelled a "Suppressive Person", "SP" or "anti-social personality".

Scientologists who associate with anyone deemed an SP are termed "Potential Trouble Sources", and forbidden further auditing or training. Indeed, Scientologists can be ordered to cease communication with, or "disconnect" from, anyone considered unfriendly by the Church of Scientology.

"Disconnection" is virtually identical to the "shunning" practised by certain extreme fundamentalist groups.

Hubbard also introduced "ethics conditions" at this time, and gave "formulas" which are supposed to elevate one's ethical state. In the 1960s, Scientology staff put into "lower conditions" were deprived of sleep (often for several days), prevented from washing or shaving, forced to wear a black mark on one cheek, a chain or a dirty rag around the arm, and confined day and night to organization premises.

Hubbard put to sea with his closest followers in 1967. Aboard ship, anyone who displeased him was confined to the chain locker. Here the victim would crouch in bilge water and excrement in total darkness, surrounded by rats, sometimes for as much as two weeks without respite. Even children were put into the chain locker on Hubbard's order. In 1968, the chain locker punishment was supplemented by "overboarding", where people, even non-swimmers, were hurled from the decks into the sea.

In 1973, Hubbard replaced these cruel and unusual practices with a new and profoundly effective form of humiliation—the Rehabilitation Project Force, or RPF. The RPF is still in use in Scientology organizations throughout the world. Those who fail to comply with orders, make mistakes or simply fall short of their production quotas are put onto the RPF. RPFers can only speak when spoken to, they are meant to eat table scraps, sleep even shorter hours than other staff, and comply immediately and unquestioningly with any order. They work a full day, doing physical labour, and are then expected to spend five hours confessing and hearing the confession of their RPF partner.

Only when they completely accept the authority of their superiors are they allowed to leave the RPF. Taming an individual in this way can take up to two years.

HARASSMENT—THE GUARDIAN'S OFFICE

"Our organizations are friendly. They are only here to help you."
—L. Ron Hubbard, 'Dianetic Contract', 23 May 1969.

Through the 1950s, Hubbard advocated ever-stricter measures to deal with critics and defectors. Hubbard's Church has always campaigned actively against anyone who uses Scientology techniques without following orders and paying tithes. Speaking of a hypothetical splinter group in 1955, Hubbard wrote, "if you discovered that some group calling itself 'precept processing' had set up ... in your area, you would do all you could to make things interesting for them ... The law can be used very easily to harass, and enough harassment ... will generally be sufficient to cause his [sic] professional decease. If possible, of course, ruin him utterly."

In 1958, Hubbard institutionalised intelligence gathering in his secret *Manual of Justice*, which says, "Intelligence is mostly the collection of data on people ... It is done all the time about everything and everybody." This was the prelude to the creation of Scientology's secret police force and intelligence agency, the Guardian's Office. An "ethics file" is kept on every Scientologist. It contains every embarassing admission made during counselling, write ups of trangressions and "knowledge reports".

All Scientologists are expected to report even the slightest criticism made by their fellow Scientologists about Hubbard, his organization or his teachings. A Scientologist who fails to make such a report is subject to the same penalties as the original critic. This policy is based upon that used by the Nazis, turning everyone into an informer, loyal only to Scientology.

After the introduction of "Ethics" policies in 1965, many people left Scientology to join a splinter group called Amprinistics. An enraged Hubbard wrote, "Harass these persons in any possible way", and urged that their meetings be broken up.

The large amounts of money demanded by Hubbard, and the severe treatment meted out to his followers, inevitably led to public concern. Enforced "disconnection" has torn many families apart. Scientology was castigated by a government inquiry in Victoria, Australia, in December 1965. In February the following year, Lord Balniel requested that the British parliament launch an Inquiry. Hubbard responded by setting up the Guardian's Office, and reinforcing his policy of "noisy investigation" into anyone who criticised Scientology. As Hubbard said, "The DEFENSE of anything is

UNTENABLE. The only way to defend anything is to ATTACK." The Guardian's Office attacked without pause.

The Guardian's Office (GO) existed to promote Scientology, to attack critics, and to keep members in line. The GO acted as an intelligence agency, infiltrating newspapers, psychiatric hospitals and even government agencies; and as an internal police force, silencing defectors. Very few former Scientologists have spoken out against the organization, knowing that every detail of their lives is kept in their Scientology "ethics files". There is much irrefutable evidence that these files have been used against former members. The Guardian's Office grew into a daunting force with 1,100 staff by 1982.

In a secret directive, Hubbard wrote, "we will successfully bring the following *facts* into public consciousness ... People who attack Scientology are criminals ... if one attacks Scientology he gets investigated for crimes ... If one does not attack Scientology ... one is safe."

The Intelligence or Information Bureau of the Guardian's Office, or GO, was modelled on Nazi spy master Gehlen's system. GO agents stole medical files, sent out anonymous smear letters, framed critics for criminal acts, blackmailed, bugged and burgled opponents, and infiltrated government offices stealing thousands of files (including Interpol files on terrorism, and files on the interchange of intelligence material between the U.S. and Canada). Critics were to be driven to breakdown or harassed into silence.

Eventually, in the early 1980s, eleven GO officials were imprisoned in the US, including Hubbard's wife, Mary Sue, and her deputy, the Guardian, Jane Kember. In July 1992, the Church of Scientology and three Scientologists were found guilty of criminal acts in Canada. Ten years before this conviction, the Office of Special Affairs had replaced the Guardian's Office.

The secret mission of both the Guardian's Office and its successor has been the discovery and elimination of the conspiracy which Hubbard believed was operating against him. At various times, Hubbard blamed Russian communism, neo-fascism, bankers, psychiatrists, the Internal Revenue Service and Christian priests for negative reports concerning Scientology.

His paranoid imagination saw enemies everywhere. As with all psychopaths, Hubbard was incapable of admitting error. He was oblivious to the anti-social nature of the practices which quite rightly provoke criticism of Scientology.

THE SEA ORGANIZATION

Having been asked to leave Rhodesia in 1966, and fearing British government action (he was later banned from entry), Hubbard fled to Las Palmas and created the Sea Organization. For eight years, from 1967 to 1975, Hubbard and his retinue (numbering several hundred) plied the Mediterranean and the Atlantic in a flotilla of unseaworthy vessels. The incompetence of the crews led to many accidents.

Sea Organization members were put into pseudo-naval uniform, adopted naval ranks and signed a *billion* year contract to serve "command intention". The management of Scientology became a paramilitary organization, under the direction of "Commodore" L. Ron Hubbard. All "Sea Org" members are expected to receive martial arts and weapons training. One executive was later to boast publicly that management was "tough" and "ruthless". Compassion is virtually unheard of in Hubbard's voluminous teachings. Sea Org members work long hours (usually devoting over 90 hours per week to Scientology), for derisory pay. They often spend weeks or months restricted to a diet consisting entirely of rice, beans and porridge. Discipline is harsh, the withdrawal of pay and proper food preceding banishment from sleeping quarters (when staff are assigned to "pig's berthing").

Sea Org members have restricted access to their children, usually only being allowed to see them for an hour or two each week. Children are kept in the "Cadet Org," with the specified intention of making them into Sea Org members. Indeed, Sea Org children can start working for the organization by the age of twelve, sometimes securing high positions before their fifteenth birthdays. Children as young as eight have acted as auditors, taking the confessions of adults.

FRONT GROUPS

In 1966, Hubbard wrote, "Remember, CHURCHES ARE LOOKED UPON AS REFORM GROUPS. Therefore we must act like a reform group." Since that time, tens of front groups have come into being, some to enhance the public repute of Scientology, others to recruit new members.

The World Institute of Scientology Enterprises (WISE) licenses Scientologists to use Hubbard material in their business training programmes. WISE members offer such programmes with no indication that the material they use is Scientology. In the U.S., Sterling Management has been criticised for selling expensive courses to health professionals, who are then recruited into Scientology. The Association for Better Living and Education (ABLE) sponsors "reform" groups such as *Criminon* (which indoctrinates prison inmates into Scientology), the *Concerned Businessmen's Association, Cry Out!* (which cashes in on concern for the environment), *Applied Scholastics* (which trains people in Hubbard's "Study Technology") and *Narconon.*

NARCONON

Narconon was started by convict and drug addict William Benitez, in the mid-1960s. It claims to be a rehabilitation programme for alcoholics and other drug addicts, and at different times and in different places has briefly won state support (withdrawn when the close association of Narconon to Scientology is revealed, or when the inadequacy of Narconon's methods is demonstrated). Narconon works alongside Scientology's "Say No to Drugs Campaign", and is advocated by Scientologist and former cocaine addict, Kirstie Alley.

For several years, Narconon has tried to establish a large centre on the Chilocco Indian reservation in Oklahoma. In December 1991, the Oklahoma Mental Health Board denied certification to this centre, ruling that "there is no credible scientific evidence that the Narconon program is effective". The program was also judged "unsafe". The Board complained that not only was medical supervision inadequate, but that graduates of the program were immediately taken on as staff. In Narconon, alcoholics and other addicts are not educated about substance abuse, but are simply put through the program. The Board also complained that "the Narconon treatment plan is general in nature, applies categorically to all students and is not individualized." The Board reported that Narconon did no follow up studies (which, of course, dismisses any claim to the program's efficacy), and had inadequate discharge planning. There was also particular concern that Narconon clients, including alcoholics, are told that if they are not able to drink after the program, then the program is simply not complete.

Hubbard's "Purification Rundown" is at the heart of the Narconon Program. The Purification Rundown supposedly rids the body of drug residues through massive doses of vitamins, and five hours a day of running and sweating in a sauna. The Oklahoma Mental Health Board complained of inadequate control of sauna temperature, and warned of the potential dangers, particularly to heroin addicts, of sauna use.

The Board had no doubt that "Narconon employs staff inadequately educated and trained in the care and treatment of drug and alcohol abuse clients"; and was shocked to find that "Narconon permits clients under treatment for drug and alcohol abuse to handle and provide medications to fellow Narconon clients, to supervise the sauna treatment of fellow Narconon clients, and to supervise clients with psychiatric disorders." No mental health professionals are employed by Narconon.

The doses of vitamins are so high on the Purification Rundown that they become potentially dangerous (several vitamins are poisonous in high doses; and vitamin B1 can have a disorienting effect similar to that of certain drugs). The Oklahoma Mental Health Board was especially concerned about the use of vitamin B3 in the form of niacin, which in large doses has been connected with liver failure. "Large doses of niacin are administered to patients during the Narconon program to rid the body of radiation. There is no credible scientific evidence that niacin in any way gets radiation out of the patient's body. Rather, the more credible medical evidence supports the existence of potential medical risks to persons receiving high doses of niacin".

In a surprise move, in August 1992, the Oklahoma Board of Mental Health granted Narconon exemption from state certification, without withdrawing its earlier criticisms.

SCIENTOLOGY AND RELIGION

> "Reference was made to some unusual features of membership ... and to the strong commercial emphasis ... Regardless of whether the members ... are gullible or misled or whether the practices of Scientology are harmful or objectionable, the evidence ... establishes that Scientology must, for relevant purposes, be accepted as 'a religion' in Victoria."
> —Australian court ruling.

Hubbard claimed that Scientology is non-denominational and does not clash with any religion. The claim is preposterous. In his secret writings, Hubbard asserted that Christ is a fabrication, an implanted hypnotic suggestion. Yoga, and therefore Hinduism, he dismissed as "booby-trapped".. In one interview, he said that his favourite book was *Twelve Against the Gods,* where author William Bolitho called Mahomet a psychopath. Of course, the doctrine of reincarnation which is essential to Scientology, is unacceptable to Judaism, Islam or Christianity.

Hubbard claimed that Scientology is "twentieth century Buddhism". However, the essential doctrine of "anatta" or "no soul" is completely denied in Scientology, which believes in an immortal and imperishable ego or "thetan". Further, Hubbard dismissed Buddhism through his statement that "No culture in the history of the world, save the thoroughly depraved and expiring ones, has failed to affirm the existence of a Supreme Being."

Scientology contradicts the teachings of all of the major religions by propounding that great wealth is a virtue, a measure of spiritual success. Hubbard divided the "urges to survive" into eight "dynamics". These are survival as or through self, family and procreation, groups, mankind, life forms, the material, the spiritual and infinity or the Supreme Being. Hubbard claimed that to make a sensible decision, it was only necessary to determine the effect upon these "dynamics", and choose the route which benefited the greatest number. No special place is given to the eighth dynamic, or God, in this scheme, so it is possible for a decision to be taken because it advantages the majority of the other seven dynamics. This practice is unconscionable to all who believe in God.

Hubbard also dismissed the notion of compassion. Scientologists believe that everything that happens to an individual is self-generated, so the unfortunate are called "victims", who have "pulled in" their misfortune. Sympathy is frowned upon, and considered to be a "lower" emotional reaction than fear or anger. All transactions must receive a proper "exchange", so Scientologists do not tend to work for, or donate to, charities (other than their own front groups). As Hubbard put it, "When you let a person give nothing for something you are factually encouraging crime". Scientology induces contempt for all non-Scientologists, who are called "wogs" or "raw meat".

MANIPULATION

> "When somebody enrols, consider he or she has joined up for the duration of the universe - never permit an 'open-minded' approach ... If they enrolled, they're aboard, and if they're aboard, they're here on the same terms as the rest of us - win or die in the attempt. Never let them be half-minded about being Scientologists ... When Mrs. Pattycake comes to us to be taught, turn that wandering doubt in her eye into a fixed, dedicated glare ... The proper instruction attitude is '... We'd rather have you dead than incapable.'"
>
> — L. Ron Hubbard, *Keeping Scientology Working*, 7 February 1965, reissued 27 August 1980.

Hubbard claimed to have studied hypnosis from his teens onwards. At the outset, he admitted that his Dianetic "research" was done using deep trance hypnosis. In the early days, he also admitted that the Dianetic procedure could be trance inducing. The term "hypnosis" has aroused much controversy. Probably the most exacting conceptual framework was made by hypnotherapist Milton Erickson, who asserted that hypnosis is an interaction between people which accesses altered states of consciousness.

Contemporary psychology accepts that most mental processes occur below consciousness. A hypnotherapist accesses the unconscious in an attempt to place beneficial suggestions therein which will have the same motivating force upon the individual as his or her own decisions. In hypnotherapy, the client gives permission for this process to occur. In Scientology, the process occurs without consent.

Hubbard asserted that everything that exists is a product of consciousness: "Reality *is* agreement", "the universe is an agreed upon apparency". From this perspective, Scientology seeks to change the individual's perception of reality, and replace it with Hubbard's notions, at the same time pretending that the individual is becoming more aware, and more "self-determined". Scientology claims to be scientific, but factually, it is impossible to undertake "auditing" without submitting to beliefs which have not been scientifically validated, such as reincarnation, possession by spirits (or body thetans) and the existence and influence of "engrams".

Restrictions are put upon Scientologists to prevent them reaching a critical understanding of Scientology. Explanation of Hubbard's work is forbidden; the materials must be quoted exactly. Dissent from the materials is also forbidden—the Scientologist's "realizations" in counselling must align with Hubbard's pronouncements about the nature of reality. Any disagreement with Hubbard or his teachings will lead the individual to the "Ethics Office", a department of Scientology's internal police force.

The Scientologist may not talk about his "case" or problems other than to his or her auditor, thus inhibiting close relationships. The "technology" of Scientology is and always has been right (even when Hubbard changed it every few months), and failure to achieve spectacular success (i.e., euphoric states) is always considered to be the fault of either the auditor or the preclear, never of the techniques. Scientologists are led to believe that criticism (unless made by Hubbard) always stems from guilt about one's own transgressions. The individual's attention is focused inwards and so deflected from consideration of Hubbard's or Scientology's faults.

Scientology procedures are comparable with those of hypnotherapy. In Training Routine 0, two people are supposed to sit looking at each other "for some hours". Visual fixation has long been accepted as a means of inducing altered or trance states. Repetition is another method of induction, and Hubbard admitted that a number of his procedures are mind-numbingly monotonous. It is possible in Scientology to sit for several hours answering the same single line question, the wording never varied, such as "From where could you communicate to a victim?"

Eventually, the individual's entire perception and belief system is over-ridden by Scientology. The Scientologist may not talk about the Operating Thetan levels, so is separated from most of humanity, believing malevolent spirits to be the real cause of all disability and conflict. Scientologists do not accept any other perception of reality than Hubbard's. Hubbard derided hypnotherapy, psychology, analysis, meditation and religious counselling, claiming that Scientology is the *only* effective system.

Staff members, especially those in the Sea Organization, become even more suggestible through long working hours, sleep deprivation, poor diet and regular doses of the Rehabilitation Project Force.

HARD SELLING

> "Advanced Courses [in Scientology] are the most valuable service on the planet. Life insurance, houses, cars, stocks, bonds, college savings, all are transitory and impermanent ... There is nothing to compare with Advanced Courses. They are infinitely valuable and transcend time itself."
> —L. Ron Hubbard speaking of his "Operating Thetan Courses", Flag Mission Order 375.

Hard selling techniques are another aspect of the use of undue influence or destructive persuasion upon members. Clients of Scientology are harassed with demands for ever increasing "donations" for auditing and indoctrination. Completion of the Scientology "Bridge" costs in the region of £200,000 or $350,000 (there are Scientologists who have paid even more). Many Scientologists have found themselves homeless and deeply in debt as a result of high pressure selling. Sales interviews can last for as much as 13 hours, and depend upon the sophisticated manipulation techniques described in Les Dane's *Big League Sales Closing Techniques.*

Another alarming aspect of Scientology's greed is the sale of Hubbard artefacts, called "Special Properties"—limited editions of Hubbard books and anything signed by Hubbard. These artefacts are pushed onto Scientologists with the insistence that they are highly marketable commodities with great investment potential. In reality, they are virtually worthless outside the confines of the Scientology world.

Outrageous amounts are charged for these items. One former member was induced to spend some £26,000 (of which £10,000 was borrowed), with promises that the value of these "Special Properties" would rocket. Despite making extensive enquiries over a seven year period, the "Special Properties" have proved unsaleable at anything like the price originally charged. The former member purchased a single, signed photograph of Hubbard for over £8,000. This is not an isolated case: one Scientologist spent an incredible £90,000 on "Special Properties".

The Scientology organization pours out advertising material, ranging from simple leaflets to full-blown television campaigns. Although Hubbard was highly critical of psychology, he was perfectly willing to use the techniques of motivational research. Careful surveys determine key words, symbols and colours to which potential customers will react, without critical thought. Hubbard bragged about the manipulative effect of these techniques.

Scientologists are expected to pay out thousands towards courses, and then have to purchase ridiculously expensive books, course packs, E-meters, and tapes of Hubbard lectures as a prerequisite to taking each course. The tapes generally sell for about £30 each, and Hubbard gave *thousands* of lectures. Every Scientologist is expected to buy at least two E-meters, ranging from £700 to £2,750 *each*. The components from which an E-meter is constructed make up only a fraction of this cost.

SCIENTOLOGY LIES

> "Handling truth is a touchy business ... Tell an *acceptable* truth."
> —L. Ron Hubbard, *The Missing Ingredient*, 13 August 1970.

Scientology claims over 7 million members internationally, yet an internal membership report for 1987 showed only 40,000. There are also often repeated claims that Hubbard books have sold millions of copies. In fact, Hubbard books have been "hyped" onto best seller lists through carefully orchestrated campaigns. Scientology has probably managed to sell more copies of Hubbard's books than have been printed, by buying back and reselling. One book store even received a consignment which already had its own price labels on.

LITIGATION & FAIR GAME

In the 1960s and 70s, Scientology became notorious for its willingness to litigate. Such litigation was rarely successful, but made the media hesitant to report on Scientology, and caused many critics to withdraw. The pace of litigation slowed considerably with the decline of the Guardian's Office. Only major opponents are now sued. However, litigation against Scientology has increased. It has been reported that at the beginning of 1992, Scientology faced over 700 suits.

In his 1984 ruling in the California Superior Court, Judge Breckenridge stated, "In addition to violating and abusing its own members civil rights, the organization over the years with its 'Fair Game' doctrine has harassed and abused those persons not in the Church whom it perceives as enemies."

In the Fair Game law, Hubbard asserted that those ajudged Suppressive by Scientology "May be deprived of property or injured by any means ... may be tricked, sued or lied to or destroyed". The continuing use of Fair Game was also established in a London child custody case in 1984, and in a California Appeal Court judgment in 1989.

In this last decision, in the case of Larry Wollersheim versus the Church of Scientology of California, the court upheld Wollersheim's allegation that he had been subjected to Fair Game. Further, the judge ruled:

> "...the Church's conduct was manifestly outrageous. Using its position as his religious leader, the Church and its agents coerced Wollersheim into continuing 'auditing' although his sanity was repeatedly threatened by the practice ... Wollersheim was compelled to abandon his wife and family through the policy of disconnect. When his mental illness reached such a level he actively planned his suicide, he was forbidden to seek professional help."

In July 1992, the Church of Scientology was found guilty of infiltrating the Toronto, Ontario and Royal Canadian Mounted Police, along with the offices of Revenue Canada, the Ontario Attorney General and the state government.

Thousands of files had been stolen by Hubbard's espionage network.

THE DESTRUCTIVE EFFECTS OF SCIENTOLOGY

As the Wollersheim case demonstrated, Scientology "auditing" can have a profoundly destructive effect. After a survey of 48 groups, Conway and Siegelman reported that former Scientologists had the highest rate of violent outbursts, hallucinations, sexual dysfunction and suicidal tendencies. They estimated that full recovery from Scientology *averaged* at 12.5 years.

Members are entirely saturated with Hubbard's delusional and unscientific view of the universe. They come to see themselves as part of a small elite, harassed on all sides by a gigantic conspiracy. Scientologists speak and think in an elaborate language created by Hubbard (Scientology dictionaries run to over 1,000 pages of definitions). They are drilled to present a calm, cheerful appearance, whatever their real feelings. Most become "auditing junkies", unable to face life without regular "sessions". All aspects of the individual's life are invaded, as Hubbard held forth on almost every subject from business management to child rearing.

Scientology induces a phobic reaction towards mental health practitioners, so ex-members are usually unwilling to seek professional help in untangling themselves. This situation is compounded by the inability of most mental health practitioners to understand the cult experience. So most former Scientologists drift into other cult groups, or derivatives of Scientology such as est (the Forum or Landmark), Avatar, Dianasis, Re-Evaluation Co-Counselling, or Idenics.

Mental Health practioners who have had contact with former Scientologists have diagnosed their condition as Post-Traumatic Stress Disorder. One psychiatrist has asserted that Hubbard reversed therapies used to reduce obsession, so creating obsessive disorders. Former members report a high incidence of Chronic Fatigue Disorder—a lack of motivation and energy. However, as yet no research has been undertaken to confirm these reports.

GOVERNMENT ACTION

In June 1992, the Church of Scientology was found guilty of criminal activity by a Canadian jury. Membership in Germany's leading political party is now denied to Scientologists, because of the policy of infiltration. Scientology is under investigation in France and Spain. In February 1992, the European Council endorsed a recommendation that the member nations of the EEC should fund information groups to educate the public about New Religious Movements. As yet no action has been taken.

HELP FOR MEMBERS

If a friend or relation becomes involved with Scientology, it is important not to attack their decision. A friendly, sympathetic attitude and a willingness to listen are very important. Showing the person material hostile to Scientology will generally only reinforce their infatuation, and make them more defensive and less willing to communicate.

Be honest but not aggressive with your concerns about Scientology.

Allow the person to talk without interruption about the benefits they feel they have received. In fact, allowing the person to talk is crucial, because the need to articulate ideas often clarifies thinking.

Don't try to do their thinking for them. Don't interrupt or make sniping comments.

In a friendly environment, they will discover for themselves some of the contradictions inherent in Scientology. If prompted to look for such contradictions they may simply stop listening. When you are sure that the person does not feel threatened, ask if they are willing to look at material critical of Scientology, rather than just presenting them with the material.

Kidnap deprogramming is both morally offensive and illegal. It is also largely unsuccessful in Scientology cases. There are, however, a few consultants who will not resort to kidnapping and have a sufficient awareness of Scientology to be able to help members reconsider their involvement in a non-coercive environment.

FURTHER INFORMATION

Jon Atack, the author of this booklet, was a client of Scientology from 1974 to 1983. Since his resignation from the Church of Scientology, he has consulted to many leading newspapers and magazines, including the *Sunday Times*, *Forbes* magazine, *Time*, the *Los Angeles Times* and the *Reader's Digest*. In 1987, he was the main consultant to BBC TV's *Panorama* documentary. He has also consulted to TVS, Central TV, Granada TV, CBC, NBC, CBS and ABC.

Jon Atack's book, *A Piece of Blue Sky* (ISBN 0-8184-0499-X), is published by Lyle Stuart Books in the USA, and by Musson Book Company in Canada. *A Piece of Blue Sky* is a 400-page history of Hubbard, his organizations and his techniques. It is available in Europe direct from the author at Avalon, Cranston Rd, East Grinstead, West Sussex, RH19 3HG, England.

For a better understanding of Scientology beliefs and techniques, see Hubbard's *Volunteer Minister's Handbook* (ISBN 0-88404-039-9).

For a better understanding of the manipulative nature of Scientology, see Steven Hassan's *Combatting Cult Mind Control* (ISBN 0-89281-243-5) and Thomas and Jacqueline Keisers' *The Anatomy of Illusion* (ISBN 0-398-05295-6).

Margery Wakefield's *The Road to Xenu* is an excellent first-hand account of membership, and includes Bob Penny's thought provoking *Social Control in Scientology*. *The Road to Xenu* is available via P.O. Box 290402, Tampa, Florida 33687.

EXHIBIT B

[redacted]

A PUBLIC WARNING

JON ATACK

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JON ATACK
ANATOMY OF A PROPAGANDIST

A PUBLIC WARNING!

INTRODUCTION

Anatomy defn: *"a detailed analysis"*

Propagandist defn: *"a person who spreads selected information to propagate an idea"*

Jon Atack likes to call himself a "critic" of Scientology. More accurately he should be described as a propagandist, since he only selects information to impart that is designed to paint the blackest possible picture of the subject. He is a black propagandist. He also tries to make this his profession - a point which should never be forgotten. His technique is very simple: collect together everything that anyone has ever said against the Church, ignore everything positive; select out of the tens of thousands of pages of Scientology material a few issues and quotes which can be taken out of context, misinterpreted and used to suggest something negative, and ignore the balance which shows these in their true positive light.

This booklet is primarily about Jon Atack, the man, and what motivates him. Everything stated in this booklet has been researched from non-confidential sources, and is well documented. The only reason it has been written is so that people can view what he says in a proper context. Jon Atack took the Church to Court in an attempt to stop disclosing the facts about him contained in this booklet. He claimed that if his "clients" knew the truth about him no one would hire him. He lost that case and had to pay the Church over 16,000 pounds in costs, and that truth can now be told.

As those who have been exposed to it can tell you, Atack's technique is superficially clever, an exercise in sophistry[1]. He works on saturating his prey with negative ideas and distortions. He uses highly selective documents to support his half truths and innuendoes.

Here are a few examples of the truth which he does not tell people:

> * Atack does not mention, or tries to discount the fact, that on 1st October 1993 all Scientology Churches and related organizations in the United States were recognized by the Internal Revenue Service as charitable and tax-exempt. The reason that he does not mention this is that he knows that this recognition

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[1] Sophistry: *Specious but fallacious argument, esp. one intended to deceive or mislead.*

followed an exhaustive review over a number of years of all Churches and Church related organizations, not just in the United States but right around the world. This was in fact the biggest investigation ever carried out in the IRS's history, and involved the inspection of millions of pages of documents. They investigated virtually every allegation ever made against the Church by anyone, including the many allegations recycled for use by Atack, and in the end pronounced themselves satisfied that there was nothing in any of them. Their determinations included that:

(1) Scientology is a bona fide religion;

(2) the Churches of Scientology and their related charitable and educational institutions are operated exclusively for recognized religious purposes;

(3) Churches of Scientology and their related charitable and educational institutions operate for the benefit of the public interest rather than for the interests of private individuals; and

(4) no part of the net earnings of Churches of Scientology and their related charitable and educational institutions enure to the benefit of any individual or non-charitable entity. The reality is a far cry from the picture that Atack tries to paint.

* Atack does not mention that a number of the sources for his most scurrilous allegations about the Church and the Founder of Scientology, L. Ron Hubbard, subsequently retracted what they had said as either untrue or grossly exaggerated, or were completely discredited, before Atack even picked up their allegations and recycled them. One key source, Gerry Armstrong, who temporarily misappropriated a large number of L. Ron Hubbard's personal papers a few years ago, later bragged on tape about his ability to forge Church documents.

* Atack does not mention that he has had no first hand experience inside a Church of Scientology for more than 10 years. At the start of the 1980s a number of staff were expelled for unethical activities and a serious failure to follow Church policy. Atack tries to paint a picture of the Church based on the former activities and allegations of those who were expelled.

* Atack, in attempting to denigrate L. Ron Hubbard,

completely ignores the vast numbers of acknowledgements and awards L. Ron Hubbard has received from State Governors, Mayors and many different bodies around the world for his achievements in many fields. One area of L. Ron Hubbard's life which Atack commonly tries to belittle is his war record in World War II. Atack knows, but neglects to mention, that there are a number of apparently contradictory records including medical records. This has been explained by Col. L. Fletcher Prouty, who was Chief of Special Operations for the US Joint Chiefs of Staff between 1955 and 1963, as follows:

> "Almost all of Hubbard's military record is replete with markings that signify deep intelligence service at the highest levels. Many of his records, copies of official records, revealed that even the originals had been fabricated in the manner peculiar to the intelligence community in a process that we call "Sheep Dip". [This] is a process that provides, customarily, three files. One is the true civilian record of the agent. One is his agency or military true record. The third is his 'cover' personality and all that it takes to support it."

In fact L. Ron Hubbard's official and true Notice of Separation from the US Naval Service was noted by Col. Prouty to include medals from different theatres of war and included a Purple Heart (Palm), which signified that he had been wounded in action on at least two occasions. Also of note was a "Unit Citation", which is a rare award only made by the President of the United States to those combat units performing particularly meritorious service.

* It might also be mentioned that Atack's obsessive criticism of L. Ron Hubbard's life should be considered along with a parallel review of Atack's own life:

By the age of 16, Mr. Hubbard had experienced broad travel — including places such as Hawaii, Japan, China, the Philippines, Hong Kong and Guam, where he taught in a native school. At the same age, Atack, who had lived in Lichfield, England all his life, was already being warned by his psychiatrist that he was foolish to take LSD. (A "mind-drug" which causes hallucinations and can cause temporary or permanent insanity.)

Mr. Hubbard went on to become a best selling author in many genres, with a writing career spanning over 50 years. His written and spoken words on Scientology alone cover over 40,000,000 words. His book, Dianetics: The Modern Science of Mental Health, has sold over 16 million copies. Atack, has had one book published which has sold a total of about 3,000 copies.

Mr. Hubbard worked hard all his life and his contributions to society in many fields have been recognized by academics, politicians, artists — and ordinary people — all over the world. To select merely one example, Dr. David Rodier, Ph.D., Associate Professor of Philosophy at American University, Washington, DC., describes Mr. Hubbard's book The New Grammar by saying, "Only a professional writer with a writer's sensitivity to language could have written such an innovative approach to grammar.... This is a brilliant book by a brilliant mind. In fact, it is a revolution in thought." Atack, on the other hand, has been unemployed practically his whole life and has made no known contribution to society.

So why does Atack want to give people a false and distorted picture of the Church? Read on...

MENTAL INSTABILITY

Atack was born in Lichfield, Staffordshire in June 1955. By the age of 13, after having run away from home, he was seeing a psychiatrist, Dr. Hazel Baker, every two to four weeks. These consultations lasted for more than four years. On 11th November 1974, Atack committed himself for two days into St. Matthew's Mental Hospital, Brentwood, Staffordshire, where he was prescribed sedatives and antidepressant drugs. In December 1974 Atack was taking cocaine, Tuinal, and marijuana. In late December he tried to overdose on the drug sodium amytal. He also stated at the time that he was suffering from persecution from his brothers and that "he had no close friends".

Such was the state of Atack's life when he first encountered Scientology. Yet, just 10 months later, he wrote:

> "I've completed a play for TV last week, which I've been struggling with for two years. I'm in higher affinity with those around me, communicate freely, feel causative. I feel confident as a writer. Dianetics and Scientology have given me larger gains than anything else this lifetime."

Atack made many such statements throughout the years he spent with the Church, yet nothing like this is ever mentioned in his subsequent writings about Scientology. However, it is a fact that he remained free from drugs and apparently free from mental instability throughout the years he was with the Church. In truth, Scientology had saved Atack's life.

However, since Atack's departure from the Church, the observable conditions of his life have suffered. For example, in late 1993 his wife Noella stated that he had threatened to commit suicide if she were to leave him and she would therefore be responsible for his death. This threat cowed her at the time into remaining with him despite serious misgivings about their marriage.

Atack has a history of blaming others for his mental problems. In one instance he blamed his self-institutionalization on the fact that a girlfriend, Karen Joyce, was sleeping with a friend of his and moving to New Zealand with her new boyfriend. Recently, Ms. Joyce, now Ms. Wilson, disputed the rationality of Atack's assignment of blame to her, stating that she had broken off the relationship with Atack long before his claimed breakdown.

In another instance Atack stated that he entered the mental hospital due to being "no longer capable of handling my mind", because he "was a Zen Buddhist" and therefore "could see ...no longer right or wrong." Atack's only formal involvement in Zen Buddhism, apart from reading books on the subject, was two days spent at the Throssle Hole Priory in Northumberland, in 1973.

In recent years, Atack has developed a deep seated and obsessive hostility towards the Church of Scientology, against which he casts all manner of hostile allegations. His hostility developed after a nearly nine-year membership in the Church, from early 1975 to late 1983, during which he regularly proclaimed the benefits of Scientology. During this time period Atack appeared to be living a life devoid of the anti-social and criminal tendencies and psychological problems of his pre- and post-Scientology periods. It appears not to have occurred to Atack that it is illogical to blame the Church of Scientology for his problems, given his previous history of mental difficulties and the marked disappearance of these difficulties during his Church membership.

Descriptions by visitors to Atack's home explain why his wife Noella finally asked him to leave. Atack had become a virtual hermit, not taking care of himself or his family. He was living and sleeping in the attic, not with his wife. She apparently had moved him into the attic due to his incessant complaints.

Ironically, it appears that, despite Atack's obsession now with destroying the Church, the years he spent in Scientology were the only time when he appeared to consistently overcome severe difficulties in coping with life.

SCIENTOLOGY CAREER

Atack always misrepresents his Scientology career, presumably so that his claim to be an "expert" on Scientology has some credibility. For instance, in a letter to the Chichester Observer, published in December 1992, Atack claimed that during his membership of the Church "he spent an enormous amount of time and money completing the equivalent of 24 of the 27 available levels of Scientology". In fact, although he was a member of the Church of Scientology for about 9 years, he completed only a small amount of very low-level training in Scientology religious philosophy. Furthermore, although he claims to have completed 24 levels of Scientology counselling, it seems that he in fact did not complete these properly at all: he admits in his book that the "success stories" he wrote during his membership of the Church (evidencing his completion of Church counselling levels and other services) were untrue (and he thought as much at the time).

In particular, Atack never received any training in the areas in which he now claims special expertise: he never took any courses in the Church's administrative technology, nor the Church's ethics system, nor in the Church's financial management system.

Atack was never a member of Church staff, only ever a parishioner. He applied to become a Church staff member, but was rejected as unsuitable due to his criminal and psychiatric history.

Finally, as Atack even admits, he ultimately could not live up to the ethical standards expected of a Scientologist. He says in his book he would have preferred an atmosphere where the staff in charge of ethical standards would "apologize for having to apply policy." What he does not say in his book is that his complaint was that it was insisted that he pay outstanding court fines for his earlier drug convictions before he would be allowed to take part in Scientology services. Rather than approach the high standards that others welcomed, Atack says he "quietly" left Saint Hill.

ILLEGAL DRUGS

Atack has a long history of involvement with illegal drugs, both the usage and sale thereof.

Atack's in-laws report he was expelled from King Edwards Grammar School of Lichfield, for illegal drug use and excessive absenteeism, in about 1971. The purchaser of the Caven-Atack family home, reported finding marijuana plants when he purchased it six years ago. In-laws confirmed that Atack was growing marijuana in the mid-1970's at the family home.

According to the Lichfield Mercury newspaper, Atack was convicted for possession of cannabis in February, 1973. He was convicted for growing marijuana in January, 1975.

He was arrested on January 14, 1976 for the non-payment of court imposed fines resulting from his two earlier drug offense convictions.

By his own admission he was a dealer of cannabis and LSD between August, 1972 and August, 1974, including hooking at least 5 people on LSD who had previously not used it. He used cannabis, LSD, mescaline, cocaine, DMT, barbiturates and amphetamines in a time period from at least as early as 1971 to December 1974.

His usage of illegal, mind-bending drugs was interrupted for a period of about 9 years during his involvement in the Church of Scientology, which strictly forbids the use of all illegal drugs. However, after having left the Church in 1983, he reverted to drug usage. An eyewitness reported seeing him consume marijuana on at least 2 occasions in recent time. Atack commented to the witness that he bought his cannabis in East Grinstead and that it was easy to obtain, indicating that he was a regular user of the drug. Other eyewitnesses reported his usage of cannabis has been chronic since leaving the membership of the Church of Scientology. Even more recently, Atack's 9 year old son expressed worry to a school friend that his father was taking drugs. The boy said it was a "special sort of drug which looked brown and had to be smoked in a pipe" and that Atack would "get dizzy" afterwards.

ABUSE AND MANIPULATION

Mrs. Lavinia Joyce told Atack's mother-in-law, Mrs. Milner, that he had been violent towards her daughter, Karen Joyce, in about 1974. Ms. Joyce, now married to a David Wilson, and residing in the Northern Territory, Australia, spoke about her relationship with Atack. She stated that she was 16 at the time of her involvement with Atack, and has since dealt with the details of conflicts that ensued when she ended her relationship with him by putting them out of her mind. She recalled that Atack struck her on four or five separate occasions, and that during their brief relationship Atack took approximately 60 pounds from her that he never repaid.

According to relatives of Atack's wife, Noella (nee Milner), in 1975 extreme anguish and suffering was caused by Atack to Noella's parents and family through his inducing her, at age 17, and against her parents' wishes to run away from home with him. Her relatives describe Noella as having been an excellent student, a very attractive girl who could have had the pick of any young man in town, was expected to go on to have a very successful, rewarding and prosperous life, and of course expected to continue to bring joy and love to her parents and family. Until she fell under Atack's spell.

Noella was described as the apple of her father's eye, and he was described as heartbroken when Atack spirited her away. He died a few years later still upset by this traumatic time.

These same relatives stated that the circumstances of Atack's removing Noella from her family home were so distressful that they even contemplated taking legal action to prevent him from doing so. Since that time, Atack has apparently never visited any of her family, who still reside in the Lichfield area. Up to the time of Atack's separation from Noella, she would occasionally visit her family, and occasionally her mother would visit her, but only when Atack was away from home.

Noella's mother has also accused Atack of being a mesmerist, manipulating people to his will. She described him as the "devil incarnate". In 1975 Mrs. Milner also stated that she would like to see Noella get married - to anyone but Atack.

Noella's younger brother, Alex Milner, was profoundly affected by having to witness the upset to his parents caused by Atack's alienation of Noella's loyalty to and affection for them. From his observation of Noella during her family visits over the intervening years he described her as "spaced out", and as having been "brainwashed" by Atack. Alex said, "I'll be honest, I thought she was hypnotized". He stated that Noella was hooked on illegal drugs by Atack. He stated that when Noella brought the children for the family Christmas celebration in Lichfield, without Atack in attendance, that the children's astonished and joyous reaction to receiving Christmas gifts indicated that they were not so blessed with such childhood joys in their own home.

The members of Noella's family feel that Noella has been trapped in poverty and treated as a slave, and that her life has been ruined by her having come under Atack's sway.

They also noted that Atack has "never done an honest day's work in his life." The degree to which Atack used Noella is appalling. For example, he refused to drive a car, and whenever he had to go somewhere she had to drive him. When she drove him he generally sat in the back seat of the car as the "lord of the manor", and she had to act as his chauffeur.

The family members' descriptions of Atack's manipulation and exploitation of Noella are consistent with other eyewitness accounts over the years. In fact, Noella informed one person in November 1981 that Atack was marrying her to have a housewife and a secretary.

According to other eyewitness accounts, for years, while Atack was being financially supported by Robert Mitchell Beedie, and ostensibly working as an artist painting pictures, Noella had to do all the housework, cleaning, cooking, as well as secretarial work (handling bookkeeping, correspondence, typing) and also go out and try to sell his paintings. Atack continually disciplined Noella for failing to sell a sufficient number of his paintings. This appears to have been another incorrect assignment of blame by Atack, as his paintings were described by one relative as, "that blotchy pile of rubbish"; and by another past acquaintance, as, "painting - if you could call it that".

Finally, in late 1994, Atack left his wife and children, with no visible means of support, and moved back in with his mother in Nottingham.

ANTI-RELIGIONIST

It is perhaps understandable that Atack has found a home in the anti-religious community since religions generally espouse strict ethical and moral standards.

Atack has expressed a recurring opposition to and criticism of a number of religions. In addition to his hostile statements regarding Zen Buddhism and the Scientology religion, in 1976 he claimed to be writing a play that was an "anti-Christian thing". He also once admitted that he "took the bible apart" because he "likes to deal in facts not fiction." After doing this he found many things in the Bible that "did not make sense."

In recent years, Atack has openly allied himself with a number of people around the world who vehemently oppose various religious movements, commonly referred to collectively as the "Anti-Religious Movement". This network of hate mongers constantly strives for acceptance and legitimacy in government and professional circles but is known to be riddled with criminals and involved in deprogrammings, which sometimes consist of kidnappings, assaults and false imprisonments, and for which several of its members have been convicted.

In Atack's book, for example, he praises Cyril Vosper — a UK deprogrammer who was jailed three years prior to publication of the book for kidnapping and causing bodily harm to one church member. A letter from Vosper, presented as evidence for the prosecution at his trial, revealed much about the motives of deprogrammers: "This German one could be the beginning of the flood...," wrote Vosper, ..."This time next year, we'll probably be rolling in money, Audi 200 Quattros, caviar on our cornflakes."

In fact even Atack's publisher, Lyle Stuart, is a self-confessed atheist. In a book written about his deceased wife in 1972 he stated, "My wife and I are rational thinkers. We consider most religion insanity — and all belief in any personal god or gods to be total foolishness. We are not `agnostics' — we are atheists."

In late 1993, Atack's wife stated that he was "mentally ill" indicating his obsession with Scientology as his mental illness. She was asked why Atack does not receive help from a psychiatrist and stated that Atack cannot accept "positive correction" and that whenever "positive correction" is offered him he becomes "evil".

ANTI-SOCIAL ACTS RESUME AFTER LEAVING THE CHURCH

In Atack's defense at his trial on criminal charges of growing marijuana plants in January 1975, Malcolm Faber stated to the court that Atack "had taken the attitude that he was above the law, but now realized that the law was right". This was apparently short lived.

Since Atack's departure from the Church of Scientology, he has engaged in or been involved with many anti-social and illegal activities in furtherance of his irrational vendetta against the Church.

In October of 1983, shortly after Atack left the Church of Scientology, he joined together with Ron Lawley, Steve Bisbey, Morag Bellmaine and others in an attempt to set up a rival, competitive group which depended on its existence by attempting to lure others from the Church of Scientology to receive their version of Scientology spiritual teaching and counselling.

On 9th December 1983, Bellmaine, Robin Scott and Ron Lawley travelled to Copenhagen, Denmark, and entered the Church of Scientology Advanced Organization for Europe and Africa, impersonating Church officials, they gained unauthorized access to and stole confidential Church scriptures and fled back to England with them.

Robin Scott was subsequently arrested when he returned to Copenhagen on March 13, 1984, admitted to his part in the crime, and on April 18, 1984 he was convicted, given a 4 months jail sentence, and banned from Denmark for 5 years.

Typically, Atack, knowing they were stolen, made a copy of the stolen materials obtained from the criminals.

Atack has also been found to be in possession of infringing copies of documents stolen from the Church of Scientology Western United States ("CSWUS"), Los Angeles, California, in January of 1990. This theft was not discovered until February, 1993, when copies of internal documents belonging to that Church surfaced in a court case in the United States Federal Central District of California in Los Angeles.

Investigation determined that the documents had been stolen by one Curtis Harmon a former staff member of CSWUS, immediately after he had been subjected to a "deprogramming" by two close associates of Atack, Hana Whitfield and Jerry Whitfield. Harmon confessed to the theft and stated that after the deprogramming, under cover of darkness, the Whitfields accompanied Harmon to the CSWUS premises where he entered the premises, gathered personal possessions, then entered an office and took internal memoranda and dispatches belonging to and copyrighted to CSWUS, left the premises and gave the purloined documents to the Whitfields.

In July 1994 Atack also admitted during deposition testimony that he had made copies of yet other documents he knew to have been stolen from the British Church of Scientology and had distributed them in exchange for money. Atack also confessed that in 1984 he had obtained stolen Scientology materials, then made and distributed copies.

INTEREST IN BLACK MAGIC

Visitors to Atack's home learned that his attic retreat contained several large books on black magic, one in particular that is extremely offensive and contains black magic rituals involving bestiality, sex with children, torture, human and animal sacrifices and other satanic and inhuman practices. Atack reportedly spent much time in his attic burning incense. He seems to be fixated on this subject.

FAILURE AT EVERY TURN

Atack appears to have never had steady employment. He attempted unsuccessful careers as a drummer, painter, playwright, and novelist. Apparently motivated by his obsessive hatred of the Church of Scientology, between 1984 and 1990 he managed to write and get published a book highly critical of the Church. However the book reportedly only sold 3000 copies worldwide, generated no profit, and was therefore a complete failure. There is no record of his ever having had steady employment although he is now 39 years old, which raises the question as to just how he does earn a living. This is apparently a very touchy question for Atack.

Several family members stated with some disgust that Atack has never worked an honest day's work in his life. Atack depends heavily on the charity of others for his support. Recently this came from his brother James, an executive for British Petroleum. From the mid-1970's to late 1980's, Atack relied on a friend, Robert Mitchell Beedie, for financial support. Atack convinced Beedie to fund the purchase of his house, and to pay 200 to 250 pounds per week to support the household. Atack apparently also persuaded Beedie that he, Atack, should manage Beedie's finances, taking control of Beedie's income and used it to his own benefit too.

DEPROGRAMMING

Atack's claims a specialty in "deprogramming", or as he euphemistically refers to it, "exit counselling" or "intervention", wherein he is paid, usually by misinformed parents of a member of the Church of the Scientology, to attempt to break their child's faith and dissuade them from membership in the Church. Usually the parents will pressure their adult child to meet with Atack, with threats of taking action against the Church legally or with the media. Sometimes the target will be lured into meeting Atack. He sometimes misrepresents himself as a Scientologist to gain their confidence.

In a deprogramming, Atack, using a combination of scurrilous statements, innuendo, twisted bits of information taken out of context from Church documents, and selective relay of stories from a few other disgruntled ex-Scientologists, seeks to undermine faith and turn the targeted member of the Church against the Church, Founder and Religion of Scientology. Atack's "information" is entirely slanted to be negative, thus creating a false picture. Atack's techniques could be simply described as an act of bigoted propagandizing and hatemongering.

Atack claims to charge an average of 50 pounds per hour for his deprogramming and consultation "services", whether they are successful or not and often they are not. Atack has no training or qualifications to do "exit counselling". He has no degree, no accreditation, no certification as a "counselor" of any sort. "Deprogramming" is not part of the curriculum of any university, and the subject is generally disreputable. Many deprogrammers or "exit counselors" have been the subject of prosecutions for kidnapping, assault, false imprisonment and similar crimes in the United States, Germany, Italy, Australia, Spain and the United Kingdom.

FOMENTING HATRED - MANIPULATING THE MEDIA

Atack considers a key tactic to create business for himself is to cause publication or broadcast of and derogatory media accounts of the Church of Scientology.

Atack seeks derogatory publications or broadcasts about the Church as a means to create hysteria, hatred and fear, thus planting seeds which he hopes to later harvest, in the form of consultations and deprogrammings sold, claimants for new legal actions which he can then be paid to "consult" on, and as the basis for yet more new derogatory media on the Church to create another round of "clients".

Atack manipulates the media. He employs various tricks to make the stories he wants run appear newsworthy or topical, like those described in his comments in April, 1991 to a meeting of an anti-religious group which he is affiliated with, Family Action Information and Rescue ("FAIR"):

> "The people who get served first are the people who complain...pushy people are the people who are listened to in this world, because they are such a nuisance and you want to get rid of them and the same with MPs, if you've got people lobbying pushing them all the time - `What are you doing about it' then the pressure begins to work. They've got to quieten down the constituent, got to quieten down the lobbyists. So they've got to do something about it. It can't just sweep it away..."
>
> "In general terms, bothering the media, annoying the media, you know and surveys...I think we all have a tendency to feel that if 10 people tell us something there is some kind of mass movement out there."
>
> "If people keep coming up and telling me about something day after day after day, then I start thinking it must have pervaded the society. Now it could just be 10 people on my street know about it, but I will have that feeling. And if you are a newspaper reporter and five or six people have rung up the news desk that week saying `What about this story, we are worried about this story', then there can be a certain amount of meaning..."
>
> "Put pressure on them. It makes them aware of it. Not antagonism and being unpleasant to them, just ringing them up and saying `Are you going to run a story about this...'"
>
> "What it takes is a group of people picking stories up, press clipping agencies, somebody having the money... Ian (Haworth) probably already does get press clippings I should imagine, but once you are getting the stories from the clipping agencies all you have to do is photocopy the stories and get them off and give Ian some sort of back up by people picking the phone up and saying `Look, this is an incredible story...'"

UNDERLYING MOTIVES

Atack proclaims publicly that he is merely seeking to "make information known" about the Church of Scientology, to "help" people. In less public settings he reveals his true motives, which are, simply stated, to profit from his intention to destroy the only group which ever helped him. His wife has referred to his expectations to be paid a large sum of money by the Church in exchange for the cessation of his activities.

Since leaving the Church of Scientology in September of 1983, Atack has constantly told others that the Church of Scientology was "disintegrating" or about to be closed down or financially wiped out. Probably his only means of justifying his senseless battle, nothing could be farther from the truth.

While Atack believes that his gross distortions might influence media, government agencies or a few unsuspecting public, the Church of Scientology was fully recognized as a bona fide tax exempt religious organization by the United States Internal Revenue Service in October of 1993. In all more than 150 Scientology organizations were recognized by the US government. The prophecies of doom are what Atack wanted others to believe, for if convinced the Church was closing they would be more likely to leave it. Atack's message has been his own delusion, as the facts show.

In 1980, just prior to Atack's departure from the Church, there were 328 Scientology Churches, Missions and Groups throughout the world. Now more than 2,000 organizations are operating in 106 countries around the world. By 1994 114 million copies of 244 books by Scientology Founder L. Ron Hubbard are in print in 30 languages in more than 100 countries. There are 10,000 staff in Scientology organizations and last year some half-million people were introduced to Scientology for the first time. Church expansion has even reached the former Soviet Union where dozens of groups have sprung up in the last two years.

Atack's desperate and wasted attempts to affect Scientology are reflected in his statements about the Church of Scientology Mission of Bournemouth. Atack recently claimed regarding the Executive Director, Roger Kaye, that he, "...has got to be bankrupted, he's got to be taken out, because he's too bloody good at it....".

Atack's "prophecies" and propaganda show his true colors. Fruitless attempts at harming the Church and Church members, with the hope of the ultimate pay off, is the common denominator of Atack's current activities - a variation of the old "protection racket" run by mobsters.

EPILOGUE

Atack pretends that he has "information" about the Church of Scientology that the Church does not tell its own members. But after reviewing Atack's "confidential" documents, one man said, "someone in the Church had already given me most of them, including a copy of the booklet written by one local antagonist [Atack himself], and suggested I read the whole lot and make up my own mind. I did not have to read many pages before I found several things [Atack claimed] that I knew from my own experience [in Scientology] were completely misleading."

Because he is paid only to give negative opinions about Scientology, Atack's bias against the Church is preconceived. He has admitted during testimony that positive information about Scientology from individuals whom Scientology has benefitted is completely discounted by him. Because he is not a real expert, nobody expects an objective opinion from Atack and those who are seeking one go elsewhere.

Atack's claims to expertise are only believed by individuals unfortunate enough to be taken in because they know nothing about him.

East Grinstead
Courier
Friday, February 18, 1994

Anti-Scientology man loses in High Court

Jon Atack

A CASE brought by an East Grinstead man against the Chur... ...logy has been thrown out by th...

The suit like... Scientology c... missed by Mr...

Scientology... Mr Atack a... personal in...

Mr Man... by Mr At...

...the Church

"He apparently feared that the Church might discredit his book by informing readers about ...lack of qualifications to judge," Mr Maxwell

...was on legal ...ends.

...ns sorts."

...not prepared to ... was

East Grinstead
Courier
342 323652
Friday, November 4, 1994
30p

Action against Church of Scientology thrown out

Cult critic loses case

A CRITIC of the cult Church of Scientology who brought a High Court action seeking to prevent it spreading information about his past, has had his case thrown out by a panel of three Court of Appeal judges, led by the Master of the Rolls, Lord Justice Bingham.

Jon Atack had been given leave to appeal against a decision by High Court judge Mr Justice Bell, who had dismissed Mr Atack's case due to his refusal to comply with court orders.

But the Court of Appeal on Monday said Mr Atack had no chance of success.

Previous case law permitted a renewal of leave to appeal only if it could be shown that the Court of Appeal granted leave as a result of being misled but the Master of the Rolls decided that leave can also be withdrawn if an appeal is futile. The cult believes the ruling will act as a precedent for any similar cases in the future.

Mr Atack's barrister, David Ryan told the court that his client was on income support and had no money at all. The Court of Appeal therefore ordered the Legal Aid Board to pay the church for the costs of the hearing.

Mr Atack originally filed his suit in March 1993 claiming that the church had breached confidence when informing people of his background.

Confidential

The church contended that the information was readily available from non-confidential sources.

Church spokesman Margaret Roose commented: "We have found that Mr Atack is one of those people who invariably accuses others of what he is doing himself.

"In the past he has accused the church of trying to silence its critics when in fact it was him who was desperately trying to silence people who were simply telling the truth about him."

Mr Atack was unavailable for comment when the Courier tried to contact him.

THE CASE OF
CONVICTS

John Atack with the leaflet he claimed was published by the church to spread misinformation about him

ORIGINAL

8039

Gerald Armstrong
715 Sir Francis Drake Boulevard
San Anselmo, CA 94960
(415)456-8450

In Propria Persona

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF MARIN

CHURCH OF SCIENTOLOGY INTERNATIONAL, a California not-for-profit religious corporation, Plaintiff, vs. GERALD ARMSTRONG; MICHAEL WALTON; THE GERALD ARMSTRONG CORPORATION a California for-profit corporation; DOES 1 through 100, inclusive, Defendants.	No. 157 680 **DECLARATION OF NANCY MC LEAN IN OPPOSITION TO MOTIONS FOR SUMMARY ADJUDICATION OF 20TH CAUSE OF ACTION; AND 13TH, 16TH, 17TH & 19TH CAUSES OF ACTION OF SECOND AMENDED COMPLAINT** Date: 4/21/95 Time: 9:00 a.m. Dept: One Trial: 5/18/95

DECLARATION OF NANCY MC LEAN

I, Nancy McLean, declare:

1. I am over the age of 18 years. I am a resident of the Province of Ontario, Canada and I have personal knowledge of the matters set forth herein, and if called upon as a witness herein I could testify competently thereto.

2. I am making this declaration is support of Gerald Armstrong whom the Scientology organization is seeking by court order to silence.

3. I am the Nancy McLean named in the Order in the case Nancy McLean and John McLean v. Scientology, et al. in the United States Court of Appeals for the Eleventh Circuit dated September 17, 1991, which the Scientology uses in its efforts to silence me and other persons with knowledge of its practices. A copy of this order is attached hereto as Exhibit A.

4. I was a member of Scientology in Canada from 1969 through October, 1972. During my time in Scientology I observed considerable mistreatment of people and other organizational illegalities. I wanted Scientology to thrive and brought my concerns about these activities to the attention of seniors in the organization, all the way up to Scientology's founder, L. Ron Hubbard. My concerns were ignored, I was lied to, and I left. I subsequently became a critic of Scientology's antisocial and often criminal practices. As a result of my criticisms I was declared an "enemy" and "fair game." The "fair game" policy, which was written by Hubbard, calls for people designated as

"enemies" to be tricked, sued, lied to or destroyed." I am intimately familiar with this obnoxious policy.

5. As result of its "fair game" attacks on me and my family, I filed a lawsuit against Scientology in 1981. This lawsuit settled in 1986. I agreed to the monetary figure settling the case, but would not agree to the conditions Scientology sought to impose which would have stripped my personal liberties. I was, however, subjected to enormous pressure by those with control of the case, whom I believe to have been compromised by Scientology's fair game operations. It was well known at that time that Scientology had attempted to entrap and compromise a federal judge sitting on Scientology cases, and to frame and compromise other government officials, and had infiltrated legal offices involved in Scientology litigation. Being put in a hopeless corner, and having no other choice, I did succumb and did sign a "settlement agreement," which on its face prohibited me from discussing my experiences in Scientology, Hubbard, and the "religion" itself, and prohibited me from possessing its writings and counseling people concerning these writings.

6. I knew at the time that this "agreement" was illegal because it sought to keep me silent about the criminal past of an organization with present criminal intent, and criminal policies, which are a threat to decent people and civilized society everywhere. I hoped that Scientology would discontinue its "fair game" attitude and activities after the "settlement" and I hoped

for peace for all. I also felt and feel that I have a moral obligation to counsel anyone who seeks me out concerning my knowledge of the dangers of this organization. I continue to do so, despite the risk its court orders and "fair game" activities are to my freedom and life.

7. Since leaving Scientology, and through the years of threats and attacks by this organization, a deep-felt spiritual conviction has developed in me concerning the religious nature of what I am involved in. Scientology claims that all of its policies and directives, even those which order attacks on critics, which call for using the legal system to harass innocent people, which declare and label people "suppressive persons" and "fair game," which assert that people it views as "low-toned" have no civil rights, which state that some people have no right to life at all, all of these and more, are "religious scriptures." Scientology claims that all of its practices are religious in nature and protected by the US Constitution and the laws of every country granting religious liberty. Can, therefore, my activities, in opposing such antisocial policies and activities, be any less religious? Indeed, they are not! My conviction that I should speak out for freedom and against Scientology's tyranny, is as honestly held and as religious as the conviction of Scientology's leaders to promote and enforce their "religious" tyranny.

8. Scientology can no more prevent me, under the laws of civilized nations, from possessing its "scripture," or commenting

on or counseling people about these "scriptures," or Hubbard, the source of these "scriptures" than a Christian church can prevent me from possessing, commenting on or counseling people about the Holy Bible, Jesus Christ or God Almighty. I protest that Scientology is not a church, and antithetical to religion. However, as long as it claims to be a church and a religion, and obtains the extraordinary benefits conferred by our laws on churches and religions, it cannot silence me about its past, its leader, its polices and practices, or my experiences of any kind in it or in relation to it.

9. I am going to continue to speak freely to anyone who seeks me out about Scientology, despite any threat from any court, or from Scientology itself. I am going to freely possess its "scriptures" and writings about its "scriptures," despite any threat. I am going to counsel anyone who seeks me out concerning my knowledge of these "scriptures" and Scientology's "religious practices," and my "religious experiences."

I declare under the penalty of perjury under the laws Canada and the United States of America that the foregoing is true and correct.

Executed in Sutton West, Ont Canada

this April 5th day of ____________, 1995.

Nancy McLean

DO NOT PUBLISH

8044

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 89-3505
Non-Argument Calendar

District Court Docket No. 81-174-CIV-T-17

NANCY McLEAN, and
JOHN McLEAN, her son,

Plaintiffs-Appellants,

versus

THE CHURCH OF SCIENTOLOGY OF CALIFORNIA,
MARY SUE HUBBARD, L. RON HUBBARD,
JOSEPH PETER LISA, MILTON WOLFE and
MERREL VANNIER,

Defendants-Appellees.

Appeal from the United States District Court
for the Middle District of Florida

(September 17, 1991)

Before TJOFLAT, Chief Judge, JOHNSON and EDMONDSON, Circuit Judges.

PER CURIAM:

Appellant McLean appeals the district court's order permanently enjoining her from disclosing any information about her lawsuit against the Church of Scientology (Church) and the resulting Settlement Agreement entered into between McLean and the Church. We affirm.[1]

I

McLean and her son sued the Church in 1981. In August 1986 McLean and the Church entered into a court-supervised Settlement Agreement requiring the Church to pay an undisclosed sum to McLean and requiring McLean to turn over to the Church any documents relating to the litigation and prohibiting McLean from, among other things, discussing with anyone, other than immediate family members, the circumstances surrounding the litigation or discussing any factual evidence that might have supported the litigation. In March 1988 the Church moved for a preliminary and a permanent injunction, claiming that McLean was violating the terms of the Settlement Agreement and that she should be enjoined from further violations.[2]

---

[1] The outcome of this decision was delayed pending final resolution of the issues in *Wakefield v. Church of Scientology*, ___ F.2d ___ (11th Cir. 1991) (finding moot the motion filed by local newspapers seeking access to the Settlement Agreement entered into among the Church and various plaintiffs). Because the *Wakefield* decision has no impact on the merits of this case, we need discuss it no further.

The district court referred the matter to a magistrate judge. The magistrate judge admitted into evidence affidavits submitted by the Church, indicating that McLean had violated the terms of the settlement agreement. The magistrate judge also heard testimony from McLean, who was given a full opportunity to rebut the matters contained in the affidavit. After considering the matter, the magistrate judge issued a Report and Recommendation concluding that McLean violated the Agreement. The district court accepted the Report and Recommendation and entered against McLean a preliminary and a permanent injunction that enjoined her from further disclosing the substance of her complaint and claim against the Church, alleged wrongs committed by the Church and the substance of documents that were returned to the Church under the Settlement Agreement. This appeal followed.

---

[2] Because the record in this case is under seal, our outline of the underlying facts of this appeal will be cursory.

II

McLean claims that the permanent injunction against her further disclosures should be reversed because the district court failed to give her proper notice that it consolidated the preliminary- and permanent-injunction hearings. We disagree. Although "it is generally inappropriate for a federal court at the preliminary-injunction stage to give a final judgment on the merits," University of Texas v. Camenisch, 101 S. Ct. 1830, 1834 (1981) (citations omitted), Rule 65(a)(2) of the Federal Rules of Civil Procedure allows consolidation of the preliminary-injunction hearing and the hearing on the merits of the permanent injunction. Fed. R. Civ. P. 65(a)(2). Before preliminary- and permanent-injunction hearings can be consolidated, though, parties must have notice of consolidation. Id.; Eli Lilly & Co. v. Generix Drug Sales, Inc., 460 F.2d 1096, 1106 (5th Cir. 1972).[3] The district court's failure, however, to give notice "is not a sufficient basis for appellate reversal; [McLean] must also show that the procedures followed resulted in prejudice, i.e., that the lack of notice caused [Mclean] to withhold certain proof which would show [her] entitlement to relief on the merits." Id.; cf. Garcia v. Smith, 680 F. 2d 1327, 1328 (11th Cir. 1982). After reviewing the record, we conclude that McLean has not been prejudiced.

---

[3] This court adopted as precedent all decisions of the former Fifth Circuit Court of Appeals decided prior to October 1, 1981. Bonner v. City of Pritchard, 661 F.2d 1206 (11th Cir. 1981).

At the preliminary-injunction hearing, McLean testified among other things that she had reacquired certain documents turned over to the Church and that she was using these documents to "counsel" Church members. She testified further that she had discussed certain aspects of her suit against the Church with persons who were not members of her immediate family. If we view this testimony in the light most favorable to McLean and if we assume that any evidence she might have presented at a later hearing on the merits would have fully corroborated her testimony, we would still find that she violated the terms of the Settlement Agreement. So, because McLean in effect conceded that she was violating the terms of the Settlement Agreement, we conclude that she was not prejudiced by being denied notice of the consolidation of her preliminary and permanent injunction hearings.

McLean also argues on appeal that the district court erred in holding that reacquisition and disclosure of reacquired documentary evidence violated the Settlement Agreement. We find this argument to be completely without merit. If the district court had held that reacquisition alone violated the Settlement Agreement, we might be influenced. The district court, however, held that reacquisition and then disclosure violated the Settlement Agreement. We agree.

III

For the foregoing reasons, we AFFIRM the district court's order of preliminary and permanent injunctive relief to the Church.

PROOF OF SERVICE

I am employed in the county of Marin, State of California. I am over the age of eighteen years and not a party to the above entitled action. My business address is 711 Sir Francis Drake Boulevard, San Anselmo, California 94960. I served the foregoing document(s) described as:

EVIDENCE, VOLUME ONE - DECLARATIONS BY THIRD PARTIES IN OPPOSITION TO SCIENTOLOGY'S MOTIONS FOR SUMMARY ADJUDICATION OF THE 20TH CAUSE OF ACTION; AND 13TH, 16TH, 17TH & 19TH CAUSES OF ACTION OF SECOND AMENDED COMPLAINT

on the following persons on the date set forth below, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid to be placed in the United States Mail at San Anselmo, California:

Laurie J. Bartilson, Esquire MAIL
BOWLES & MOXON
6255 Sunset Boulevard, Suite 2000
Los Angeles, CA 90028

Michael L. Walton, Esquire MAIL
P.O. Box 751
San Anselmo, CA 94979

[X] (By Mail) I caused such envelope with postage thereon fully prepaid to be placed in the United States Mail at San Anselmo, California.

[ ] (Personal) I caused said papers to be personally served on the office of counsel.

[X] (State) I declare under the penalty of perjury under the laws of the State of California that the above is true and correct.

DATED: April 12, 1995

ORIGINAL
FILED
SEP 18 1995
HOWARD HANSON
MARIN COUNTY CLERK
by J. Steele, Deputy

8051

Gerald Armstrong
715 Sir Francis Drake Boulevard
San Anselmo, CA 94960
(415)456-8450
In Propria Persona

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF MARIN

CHURCH OF SCIENTOLOGY INTERNATIONAL, a California not-for-profit religious corporation, Plaintiff, vs. GERALD ARMSTRONG; MICHAEL WALTON; THE GERALD ARMSTRONG CORPORATION a California for-profit corporation; DOES 1 through 100, inclusive, Defendants.	No. 157 680 **EVIDENCE IN SUPPORT OF OPPOSITION TO MOTIONS FOR SUMMARY ADJUDICATION OF 20TH CAUSE OF ACTION; AND 13TH, 16TH, 17TH & 19TH CAUSES OF ACTION OF SECOND AMENDED COMPLAINT** Date: 9/29/95 Time: 9:00 a.m. Dept: One Trial Date: Not Set

VOLUME IX

Gerald Armstrong
715 Sir Francis Drake Boulevard
San Anselmo, CA 94960
(415)456-8450

In Propria Persona

FILED
APR 10 1995
HOWARD HANSON
MARIN COUNTY CLERK
By ~~J NAUE~~ Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF MARIN

CHURCH OF SCIENTOLOGY INTERNATIONAL, a California not-for-profit religious corporation,

Plaintiff,

vs.

GERALD ARMSTRONG; MICHAEL WALTON; THE GERALD ARMSTRONG CORPORATION a California for-profit corporation; DOES 1 through 100, inclusive,

Defendants.

No. 157 680

DECLARATION OF LAWRENCE WOLLERSHEIM IN OPPOSITION TO MOTIONS FOR SUMMARY ADJUDICATION OF 20TH CAUSE OF ACTION; AND 13TH, 16TH, 17TH & 19TH CAUSES OF ACTION OF SECOND AMENDED COMPLAINT

Date: 4/21/95
Time: 9:00 a.m.
Dept: One
Trial: 5/18/95

DECLARATION OF LAWRENCE WOLLERSHEIM

I, Lawrence Wollersheim, declare:

1. I am over the age of 18 years. I am a resident of the State of Colorado. I have personal knowledge of the matters set forth herein, and if called upon as a witness I could testify competently thereto.

2. I was an active member of Scientology from the period of 1968 - 1969 through 1979 - 1980.

3. I am the plaintiff in the case of Wollersheim v. Church of Scientology of California, Los Angeles Superior Court No. C 332027. After a four and one half month trial in 1986 I was awarded a judgment against Scientology in the amount of $30,000,000.00. On appeal, the California Court of Appeal upheld the judgment but reduced the damages awarded to $2,500,000.00. Wollersheim v. Scientology, 260 Cal.Rptr. 331 (1989), upheld by the United States Supreme Court.

4. I have also been sued twice by Scientology pursuant to its "fair game" policy, Scientology v. Wollersheim, US District Court for the Central District of California, No. CV 85-7197 JMI (Bx), which was dismissed against me, and Scientology v. Wollersheim, Los Angeles Superior Court No. BC 074815. I was awarded $135,000.00 in this frivolous lawsuit pursuant to California's SLAPP Statute.

5. Since 1979, I have been the target of the notorious "fair game" policy, originated by Scientology's founder and leader L. Ron Hubbard. This policy calls for critics of

Scientology, designated by the organization as "enemies" to be tricked, cheated, sued and destroyed. This policy permits, in fact urges, Scientologists to do virtually anything in the service of Scientology to attack its targeted enemy.

6. In 1993 I, with others, formed a non-profit corporation, FACTNet, Inc., a cult abuse victims advocacy organization that serves as a library and historical preservation archive which collects, preserves and makes available information on groups and organizations which employ sophisticated and dangerous techniques of mind control. For more information on FACTNet, its goals and purposes, see one of FACTNet's publication regarding its mission, history and accomplishments appended hereto as Exhibit A. Because of my experiences and knowledge of Scientology, because I have continued to be its fair game target, and because it is widely known as the largest and most psychologically dangerous of all the organizations using advanced psychological coercion practices, FACTNet has a large archive of information on Scientology which it has collected, preserved and made available to our library users.

7. In 1993 I asked Gerry Armstrong to be on the board of directors of FACTNet. I did this because he is known to me to be an abuse victims advocate, and honest and courageous, having stood up against Scientology's fair game practices and its formidable litigation machine for then over a decade, and I trusted him. Armstrong was never involved in the management

or operations of FACTNet in any significant way or for any significant length of time. Later, because of the concern that Scientology would mischaracterize Armstrong's relationship with FACTNet, and use its mischaracterization in legal attacks, he resigned his position on our board of directors.

8. I also asked Armstrong to be involved with FACTNet because he is a victim of Scientology's cult abuse and was, and is, defending a case brought against him by Scientology to silence him. I knew from having talked to Armstrong about his pending case, and from reading many documents relating to that case, and from my knowledge of Armstrong's prior history and legal involvement with Scientology, that Scientology was seeking to use the courts to silence him and deny him his Constitutional rights, including his freedom of religion and right and need to defend himself against fair game. I also knew, from my own experience, study and communications with dozens of people affected, that the "settlement agreement" which Scientology was seeking to enforce was one of several such "agreements," which, in my opinion, individually and together constituted a massive obstruction of justice. Armstrong, therefore, like any other Scientology victim, had a need for FACTNet to help him defend himself against that organization, and its litigation and fair game machines. FACTNet has assisted Armstrong, because he is a victim of Scientology's abuse. We have assisted him with fund raising,

obtaining legal help, spiritual support, and in telling the world the story of the abuse of Gerry Armstrong.

9. Appended hereto as Exhibit B is a true and correct copy of one of FACTNet's research publications entitled "Scientology's Policies Toward Its Adversaries." This document details Scientology's history of unclean hands and general bad faith in bringing actions such as this one. Scientology has been involved in criminal acts against its adversaries, and has used the court systems around the world to support these criminal activities, for decades. If these materials are fully read by the Judge and other decision-makers in the current action, there will be no doubt about why Scientology is trying to silence and crush Armstrong. Their efforts to silence and crush him are to suppress critical knowledge and counter-opinions about Scientology's nature and activities, activities which threaten the public well-being and safety.

10. The information that Armstrong brought with him out of Scientology, that was made public for the first time through his efforts, and became judicially credited during the course of the first lawsuit Scientology brought against him, has been essential to the understanding of Scientology's mind control, fraud, and fair game activities. Armstrong documented and exposed the real nature and history of L. Ron Hubbard, his falsified credentials, vindictiveness and aggressiveness toward anyone who opposed him, and his and his

organization's victimization of countless people around the world. Armstrong's material is used by government investigations and by countless people around the world to educate and counsel about Scientology and its actual intentions, practices and dangers. Scientology wants to silence and discredit Armstrong because his materials free victims by giving them access to what they need to make informed choices, and Scientology doesn't want its victims free, but under its domination or shuddered into silence. It is imperative, for free minds and a free society that Scientology not be allowed to achieve its goal of suppression of Armstrong's information.

11. I know that Scientology calls itself a religion, claims that it is organized for only religious purposes, claims that its activities are religious, and that all of its writings on any subject with Scientology; whether they be about financial matters, physical health or how to wash a car; whether they order using the courts to harass people, to utterly ruin critics, and even the "fair game" policy itself, are "religious scriptures."

12. It has come to my attention that Scientology is seeking to have the court in the Armstrong case order the removal or seizure of all materials in FACTNet's possession which relate in any way to Scientology. The order Scientology seeks reads: "within 20 days of the issuance of this Order, Armstrong shall: 1. Remove all information concerning

Scientology, the Church and/or any person or entity referred to in paragraph 1 of the "Mutual Release of All Claims and Settlement Agreement" of December, 1986 from any and all databases, electronic or otherwise, within the possession, custody or control of FACTNet." This proposed order that Scientology is trying to push through court against Armstrong is an effort to deceive the judge on the case so that Scientology can later use this overbroad order to harass, raid and destroy a public library and historical preservation archive. FACTNet's library and archive possess thousands upon thousands of documents relating to Scientology and/or Armstrong that have been or are legally in the public domain and/or received from many other sources than Gerald Armstrong. FACTNet possesses many of Scientology's own writings that have been or are legally in the public domain. A court-ordered removal or seizure of these materials, which Scientology itself always claims are "religious scriptures" would be tantamount to seizing Holy Bibles or commentaries on the Bible, in the possession of out-of-favor former members of a Christian church.

13. My 26 years of experience and my study of hundreds of thousands of pages of evidence have brought me to the unshakable conclusion that Scientology is the world's largest secret neo-satanic "religion," with thousands of fanatical members in hundreds of highly organized, centrally controlled "churches" worldwide, using sophisticated mind control and

intelligence operations and employing hundreds of non-Scientology lawyers and "private investigators" to carry out its goal of smashing all opposition to its mad and dangerous plan for world domination. See "Scientology's Policies Toward Its Adversaries," Exhibit B hereto.

I declare under the penalty of perjury under the laws of colorado and California that the foregoing is true and correct.

Executed at 601 16th St, Jefferson County, Colorado, this 7th day of April, 1995.

Lawrence D Woller

Lawrence Wollersheim

8060

F.A.C.T. Net Inc.

Fight Against Coercive Tactics Network, Incorporated

a nonprofit computer bulletin board and electronic library

In the United States alone an estimated 5,000 economic, political, and religious groups use tactics of coercive mind control...p.6

"Only you have the right to control your mind"

FACTNet 's MISSION

FACTNet is an international, nonprofit, educational, social justice organization that opposes human rights abuse caused by coercive mind control.[1] FACTNet seeks to promote dialog concerning this issue, much as Amnesty International[2] promotes dialog on issues of human rights abuse caused by physical coercion.

FACTNet provides a unique research, investigatory, and educational information clearinghouse on coercive mind control tactics. It informs the public how their lives are being negatively influenced by the growing number of groups using these dangerous tactics. FACTNet brings advanced technology to the struggle for social justice by delivering services through state of the art telecommunication and information management technologies.

Our mission is to educate. We provide information on coercive mind control from many sources and perspectives. The individual decides the truth.

HOW FACTNet ACCOMPLISHES ITS MISSION

Information access is the proven solution to stop current abuse, help victims recover, and prevent future abuse. Technology makes information available faster, more easily, more broadly, and at less expense. This maximizes the "information solution."

FACTNet provides high technology information services to victims and their families, professionals, governments, the media, and other organizations. FACTNet provides numerous information services including an electronic lending library, electronic mail and resource referral, electronic news transfer services, and expert research consulting. [More information is available upon request about FACTNet's seven main purposes, guiding principles and three-phase business plan.]

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[1] For a technical description of what constitutes coercive mind control, see the FACTNet publication titled *A Technical Overview of the Tactics of Programs of Cumulative Psychological Coercion.*

[2] FACTNet is not associated with Amnesty International in any capacity.

FACTNet's HISTORY

FACTNet began as a nonprofit organization in June of 1993. We have received our 501(c)(3) tax exempt status from the IRS and established our corporate structure. We have purchased all necessary insurances, filed appropriate trademarks, and run six months of limited user testing of the computer telecommunications capabilities.

Our Board of Directors consists of Jon Atack, Lawrence Wollersheim, and Bob Penny — all victims of coercive mind control who, having successfully survived, are now dedicated to educating the public. Our Board of Advisors includes Dr. Margaret Singer, Ph.D., Emeritus Professor of Psychology at UC, Berkeley; Eugene H. Methvin, Senior Editor, *Reader's Digest*; Andrew A. Skolnick, M.S., Associate News Editor, *Journal of the American Medical Association*; Edward Lottick, M.D.; Kent Burtner, M.Div.; and Ford Greene, Esq.

During the first year, approximately $190,000 in cash and labor was invested to bring FACTNet's services on-line.[3] This time was spent in a testing phase, researching, developing, and debugging computer and software technologies; training staff; and developing administrative work flow and security policies.

By the end of its first year, FACTNet had acquired computers and software sufficient to handle approximately 5,400 information service calls per month. Our on-line searchable database contained approximately 50,000 pages of text. Our archives of scanned pages contained approximately 1.8 gigabytes of image files.

WHAT WE HAVE ACCOMPLISHED SO FAR

While still in its non-public testing phase, FACTNet was able to provide information services to several hundred victims of coercive mind control, assist a foreign government in its investigation of a group using coercive mind control, and help, in significant part, to win four major litigation victories against one of the world's largest abusers of coercive mind control.

For an organization that hasn't yet gone public, FACTNet already has had a powerful effect on human rights abusers. One destructive organization so fears FACTNet's growth that it is refusing to pay a multi-million dollar judgment to a former member in part, we believe, because it fears (correctly) that the former member will make a substantial donation to FACTNet, the organization that played a key role in its defeat.

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[3] This amount includes the cost of equipment purchased, databases created or acquired, income from services rendered that were reinvested, loans, and the value of paid and volunteer labor and consultant services.

With no more than word of mouth about FACTNet's unique electronic information services, FACTNet has received numerous information requests from leading media around the world. From FACTNet's media connections, several major media exposès about destructive organizations using coercive mind control are in the works or already published. Recent examples include the *Sussex Observer*, the Australian *Woman's Day*, and the English *Daily Mirror*. [Ask for more complete references.]

FACTNet's goals are supported by one of the world's leading and most credible resources for research on coercive mind control and the destructive organizations that use it, the American Family Foundation (AFF). The AFF is providing fourteen years of accumulated research and work to be scanned, computerized, and made available through FACTNet's telecommunication services.

FACTNet's goals are also supported by Graham E. Berry, of the Los Angeles law firm Lewis, D'Amato, Brisbois and Brisgaard, and by David J. Bardin, of the Washington, D.C. law firm Arent Fox.

FACTNet already has the largest computerized library in the world on Scientology and has acquired a substantial volume of materials on other destructive organizations using coercive mind control. These additional materials are in the process of being scanned and computerized.

Our initial results only preview the tremendous social justice leveraging capabilities that will become available as FACTNet's information services become more widely known and used by the public.

OUR CURRENT NEED

FACTNet needs additional funding to handle the huge volume of service requests anticipated as FACTNet expands its public outreach and connects to the Internet — the "information super highway" that you are hearing so much about in the news. The Internet now connects 20 million computers worldwide, is growing at 10% per month, and by the year 2000 is expected to connect one billion computers.[4]

Resources are needed for several immediate purposes:

- **acquire additional computer and telecommunication equipment, software, phone lines, and an Internet connection,**

The additional equipment requirements are appropriate to what will quickly grow to 8,000-10,000 computer information and service request calls per month. This is anticipated when FACTNet links to and becomes known on the Internet, to millions of other computer owners, and to users of other computer networks.

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[4] Already there are many on-line news and discussion groups on the Internet that deal with coercive mind control and the destructive organizations that use it. We have been told that just one of these, called **alt.religion.scientology**, has received 42,000 calls. This is just electronic mail, where callers can read and send messages. FACTNet's searchable electronic libraries, plus electronic mail and other services, offer a powerful and previously unavailable educational and networking resource.

- **complete the computerization work on the 100,000-page American Family Foundation library acquisition,**

  It will take resources to bring the full AFF library on-line. This is one of the the world's leading and most credible non-computerized resources for research on coercive mind control and the destructive organizations that use it. Over 100 respected interdisciplinary professionals have contributed to the AFF library over the past fourteen years.

  The American Family Foundation's scholarly journal, *Cultic Studies Journal*, has published more than 125 articles on cults and psychological manipulation. Their review of press reports, *The Cult Observer*, has reviewed more than 3,000 media reports during the past fourteen years. The AFF also has other scholarly articles about cults and general information about more than 300 different cultic groups that use coercive mind control.

  The AFF library commands immediate respect and credibility. FACTNet's linkage with it will help other organizations and individuals become familiar with FACTNet's services. This association benefits AFF because their researchers in psychiatry, psychology, sociology, the media, and law, will be able to do their own work in new and better ways (for example, on-line surveys and questionnaires), and more effectively communicate their research and findings to each other and to the public.

  From an outreach and credibility viewpoint, adding the AFF library to FACTNet's existing library will markedly increase FACTNet's appeal to a global public.

- **hire more staff and pay the volunteer staff who will be staying on to meet the public service requests and to computerize the AFF library,**

  Paid staff will be needed to service the library and escalating service/research requests.

- **begin outreach promotion of FACTNet's services to those who need them but are unaware that such resources exist,**

  Organizations that use coercive mind control operate by restricting information and creating phobias about professional help. We have to very deliberately reach past those barriers and make more people aware of our existence and capabilities. A more effective outreach will better position FACTNet to be of service on a larger scale to victims and their support professionals.

- **and, set up a financially self-sustaining gift and revenue-creating program to help secure FACTNet's future while we develop service revenues.**

  Our budget forecasts service revenues from user subscriptions, downloads, fax-on-demand, database research, and other sources, but this will not support us until we get all services on-line and widely known. We need to create an ongoing gift program to remain financially secure for the three years it is projected to take until our service revenues grow to a sufficient level.

[Request a copy of our projected budget for full details on the projects listed above.]

WHAT YOUR SUPPORT WILL ACCOMPLISH

We will be able to deliver 24-hour/day, 7 days/week telecommunication information services to a global Internet and non-Internet public and make an even more powerful difference.

Victims of destructive groups that use coercive mind control, or their families, can immediately access information to understand what has happened to them, information on resource connections they need to formulate a plan of action, and information for the challenging recovery process.

Mental health professionals and clergy can immediately access updated information and resource connections they need to help victims and families, network among themselves, and obtain needed referrals.

Attorneys and government agencies can immediately access information and resource connections they need to prosecute those individuals or groups who have broken the law or seriously damaged individuals. Civil and criminal investigations can be researched inexpensively.

Journalists and educators can immediately access information and resource connections they need to expose abuses, forewarn the public, develop preventive educational programs and give accurate well rounded descriptions of this area of human rights abuse.

Victim rights advocates and other anti-abuse organizations can immediately access information and resource connections they need to defend against the sometimes malicious legal and other harassments that destructive groups using coercive mind control often use in an attempt to silence those they perceive as opponents.

THE URGENCY OF THE PROBLEM

"Existing data now suffice to convince any reasonable person that the claims of harm done by cults are bona fide. There are a good many people already dead or dying, ill or malfunctioning, crippled or developing improperly as a result of their involvement in cults. They are exploited; they are used and misused; their health suffers; they are made to commit improprieties ranging from lying ('heavenly deception') to murder. Their lives are being gobbled up by days, months, and years."[5]

In the United States alone an estimated 5,000 economic, political, and religious groups use tactics of coercive mind control to deceptively influence millions of victims.[6] Almost everyone today knows someone who has been the victim of one of these destructive groups. They ruin tens of thousands of lives and take hundreds of millions of dollars from their victims. They have bought or extorted dangerous influence over our courts, mass media, and other institutions.

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[5] Louis Jolyon West, M.D., professor and former head of Department of Neuropsychiatry at the University of California in Los Angeles, "Persuasive Techniques in Contemporary Cults: A Public Health Approach," *Cultic Studies Journal*, volume 7, no. 2, 1990.

[6] Dr. Margaret Thaler Singer, Emeritus Professor of Psychology, University of California at Berkeley. Dr. Singer studied approximately 3,500 victims of coercive mind control programs during her 40 years of research and writing.

The cause of this growing human rights problem today is twofold. First, information about advances in the technologies of coercive mind control is generally not known in our society, and second, those who exploit these technologies gain an invisible control advantage which is too profitable not to be exploited by the unscrupulous.

The growing use of coercive mind control poses a very real danger first, to its immediate victims, and also to our families, lives, and civil liberties. Our most basic freedoms are invisibly threatened by the growing use of practices which restrict information and bypass the victim's awareness to obtain compliance through deceptive technological processes of influence (as opposed to dialog, debate, or any other appeals to reason which are otherwise open, rational, and participatory).

History has taught us what can happen when coercive mind control prepares the ground for physical coercion. Tactics of coercive mind control were used in the authoritarian environment of Nazi Germany. Ruthless individuals like Hitler, Stalin, and Mao Tse-tung were able to sway whole populations into believing ideas and committing acts that ultimately led to the creation of concentration camps, Gulags, and to the needless deaths of tens of millions of people. With the advantage gained over their members with the technologies of coercive mind control, these groups were able to exercise a vastly disproportionate influence over the political, economic, and religious systems of their times.

Today we have even more advanced and subtle technologies, with symptoms such as Jonestown, Waco, and Scientology.

Looking ahead to the future, already we see that groups using coercive mind control with political and economic ambitions apparently forming well funded coalitions that create disinformation campaigns to deny the existence of coercive mind control, and to harass and silence researchers and victim advocate groups.

Many human rights advocacy groups are handicapped in dealing with this problem because they are technology-poor and lack funding for qualified data processing and telecommunications staff. Victim advocate groups, their lawyers, social science researchers, and others urgently need the technology advantage to "level the playing field." Otherwise, they will be silenced. Their voices are needed if we are to avoid continuing social and individual catastrophe.

WHAT WE NEED FROM YOU

Even if you don't know a victim personally, all of us, and our families, have minds and freedoms that can be lost if this subtle and covert technology continues unchecked in the hands of the greedy and ruthless. We all have a personal stake in solving this challenge to our basic human rights because, like it or not, we all have minds and we are all vulnerable. Please recognize a clear and present danger and somehow overcome the denial that Dr. Singer describes:

> " . . . most citizens like to think that their own minds and thought processes are invulnerable. 'Other people can be manipulated but not me,' they declare. People like to think that their opinions, values, and ideas are inviolate and totally self regulated. They may admit grudgingly that they are influenced slightly by advertising. Beyond that, they want to preserve the myth in which other persons are weak minded and easily influenced, but they are strong minded. People cherish a fantasy that manipulators confront, browbeat, and argue people into doing their bidding. They envision Big Brother coming in storm trooper boots, holding guns to their heads, and forcing persons to change their beliefs, alter their personalities, and accept new ideologies. Orwell drew on the wisdom of the ages; most manipulation is subtle and covert. . . . This myth of invulnerability needs to be examined over and over to prevent Orwell's 1984 world from ever happening."

A fundamental principle of democratic society is the Jeffersonian concept that man is a rational animal, and that if he or she is allowed to be rational then our system will work. John Dewey said it this way: "The human power to respond to reason and truth protects democracy." Coercive mind control works by bypassing or undercutting rationality and informed free choice.

The growing use of coercive mind control poses an ultimate theft of our most important freedoms. It is an invisible theft of one's ability to think rationally, one's free will, informed consent, and individual conscience. Eventually if left unchecked, it will destroy or adversely affect all of our cherished freedoms.

Applied politically, coercive mind control is perhaps the greatest threat to democracy today. It is totalitarian in approach and antithetical to democracy. It may become our road to involuntary servitude and high-tech slavery in the information age if we don't do something now that is effective to inform the public and empower victim advocate groups.

FACTNet is the largest scale, most effective, and most promising "information solution" to these problems. It exists to help level the playing field. Its information technology leverages the efforts of others and immediatly benefits information distribution and resource networking for all victims and victim advocate organizations.

Your help is needed now in the form of a gift or pledge, and in networking us to others who will support our cause. Please give generously.

SCIENTOLOGY'S POLICIES TOWARD ITS ADVERSARIES

"In addition to violating and abusing its own members' civil rights, the organization over the years with its "fair game" doctrine has harassed and abused those persons not in the church whom it perceives as enemies."

-- LA Superior court judge Paul Breckenridge in a June 1984 ruling in the Gerry Armstrong case.

I. Documentation of Scientology's Adversarial Tactics – Overt Operations

1. Bold Faced Direct Lying pages 66-72

2. Professional False and Evil Propaganda Campaigns pages 73-75

3. Setting Up or Using Social Reform Groups Whose Real Purpose is to Defend Scientology and Attack its Enemies pages 76-77

4. Using a Front Law Firm as a De Facto Extension of Scientology's Intelligence Division, and Intimidation Intelligence Strategy page 78

5. Deliberately Recruiting and Using "Anything-to-Get-the Fee" Private Investigators pages 78-79

6. Possibly Buying Political Influence pages 79-80

J. The Armstrong Case pages 81-88
An example showing how Scientology puts all these adversarial tactics to work

K. The Wollersheim Case pages 89-92
Another example showing how Scientology puts the tactics together, including a "history re-write" of specific areas in Wollersheim's past.

L. More Scientology Intelligence Operative Training Materials pages 93-125

M. Conclusion pages 126-129

Prior Sect Try a Judge Reported pages 130-138
This article provides an example of Scientology's secret policies and attitudes in the real world

Shudder into Silence pages 139-143
An article showing how Scientology and its adversarial tactics came into being and have not changed

9. Framing Critics for Lewd Sexual Conduct page 30

10. Framing a Critic for Connection to Organized Crime page 30

11. Burglary and Theft pages 30-36

12. Attempting to Get a Person Incarcerated in a Mental Institution page 37

13. Impersonating Someone to Frame or Discredit Him pages 37-43

14. Sending Bomb Threats and Framing Someone Else For It pages 44-46

15. Using Confidential Materials, Disclosures, or Confessions Given to Scientology by its Members to Blackmail, Silence, or Intimidate an Individual, Should that Person Leave Scientology or Become Critical of Scientology pages 47-50

16. Infiltrate the Court System page 51

17. Possible Scientology Involvement in Conspiracies to Commit Murder or Assault (Also see Exhibit 23) pages 51-53

H. Scientology and its New Practice of Legal Brutality pages 54-80
A summary of what these techniques are.

The main nine techniques of Scientology's legal brutality in and out of the courtroom. page 56

1. Swearing Out False Lawsuits to Intimidate, Harass, Stop, or Discredit a Critic or Enemy page 56

2. Repeated Use of Frivolous and Expensive Lawsuits to Deter Individuals and Media from Stating Anything Hostile to Scientology Whether Factual or Not page 57

3. Bludgeoning Opposing Witnesses page 57

4. Repeatedly Ignoring Court Orders and Authority page 58

5. Attacking Judges to Stop or Slow the Case page 59

6. Doing Everything Possible to Create Their Own Mistrial page 60

7. Extensive Suppression of Critical Information page 60

8. Filing Meritless Complaints with Legal, Medical, and Other Professional Ethics Boards page 63

9. Possibly Creating Dummy Cases Where in Fact Scientology is the Hidden Controller and Financier of Both Complainant and Defendant page 64

Exhibit 2, Scientology's Policies towards its Adversaries

This comprehensive Exhibit is drawn from evidence submissions from numerous past Scientology lawsuits and investigations.

A. Scientology's Public Position — pages 2-3
  An understanding of what Scientology wants you to believe about who and what it is.

B. Attack — pages 4-9
  Scientology's attack policies and history

C. Overwhelm — pages 10-13
  Scientology's policies of overwhelming its adversary in paper, expense, work, and other activities which make its adversaries unable to sustain court or other justice procedures

D. Deception — page 14

E. Fair Game — page 14

F. Attack the Enemy's Plan — pages 14-15
  This section overviews Scientology's tactics to thwart its adversaries in and out of the courtroom

G. Documentation of Scientology's Adversarial Tactics and Covert Operations — pages 16-53
  Pages 16 and 17 summarize the main tactics of covert operations against Scientology's adversaries in and out of the courtroom. The following pages, through page 53, provide detail on covert operations against Scientology's adversaries.

1. Electronic Eavesdropping and Bugging — page 17
2. Creation of False Identification and Documents — page 17
3. Infiltration of Enemy Organizations — page 24
4. Impersonating a Reporter to Gain Access to Obtain or Plant Information for Scientology — page 25
5. Breaking and Entering the Attorney Offices of a Critic or Enemy — pages 28-29
6. Forced Detention of an Enemy or Critic — page 30
7. Staging a Fake Hit and Run Automobile Accident — page 30
8. Circulating Discrediting False Public Relations Stories — page 30

SCIENTOLOGY'S PUBLIC POSITION

We hear the same well-rehearsed lines again and again from Scientology's executives, Scientology's public relations people, Scientology's $200-$500 per hour attorneys, Scientology's front groups and Scientology's undercover operatives. Once you recognize the pattern, you will be well qualified to judge the truthfulness, the purpose, and the real or hidden affiliation and loyalty of the person delivering these messages. Underlines are added for emphasis.

"A small [1]group of Scientologists ran amok in the 1970's, the church has since cleaned house."

"Current leaders admit (old leaders) were out of control."[2]

"We are a changed and new organization. The church is trying to mend relations."

"The allegations of brainwashing, harassment, and other "fair game" tactics that the civil plaintiffs cite today in tort claims for intentional infliction of emotional distress---and the similar allegations in Behar's article --- are baseless attacks on First Amendment protected religious practices."[3]

"The strident propaganda fostered by civil plaintiffs and their counsel are repetitive time and time again on matters of such ancient history as have no relevance to the present time."[4]

"...The church is being harassed with fictitious allegations designed to extort money," growls Cooley, (one of their lead attorneys,) who derides the propaganda of plaintiffs.[5]

"Documents recently obtained from the IRS and the FBI seem to vindicate some of the paranoia of the church leaders in the late 70's, apparently showing that the church was improperly targeted

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[1] Thousands of the most senior level Scientology executives and other security cleared Scientologists world wide were involved in Guardian office covert operations. This was no small or renegade group. It was completely in control. It ran and organized secret Scientology policy from the top of the organization down. See rest of this appendix for full documentation.

[2] From *The American Lawyer* article, "The Two Faces of Scientology," by William Horne, July\August 1992. Horne's representations of Scientology's public positions may be all the more accurate in light of the possibility that he may have an undisclosed relationship with Scientology.

[3] From *The American Lawyer* article, "The Two Faces of Scientology," by William Horne, July\August 1992.

[4] From *The American Lawyer* article, "The Two Faces of Scientology," by William Horne, July\August 1992.

[5] Particularly, see the Section on Scientology's Black propaganda training later in this appendix. Quote from *The American Lawyer* article, "The Two Faces of Scientology," by William Horne, July\August 1992.

by several government agencies for special investigations."

"Wollersheim had alleged that the church's fair game harassment tactics and coercive religious practices, such as auditing, exacerbated an existing mental illness."[6]

"But what is certain is what is symptomatic of the paranoia displayed ... by most of the 65 lawyers, judges, and litigants interviewed for this article... opposing (litigants) and counsel see Scientology behind every untoward occurrence in their lives, from near misses on the freeway to hangup phone calls..."

Any lie repeated often enough will be believed by someone, and that is the essence of Scientology's propaganda. But let's look at the facts. Consider, as you read the following pages:

* Are these the type of activities meant to be protected under the special First Amendment legal protections, privileges, and immunities given to legitimate non profit, humanitarian, tax free, and charitable religious organizations?

* Are the actions described here being used to protect *financial profit*, and being applied as strategic actions (sometimes lawsuits) to inhibit public participation in the remedial purposes of the justice system and government, the very reason behind the new SLAPP laws.[7]

1. ATTACK
2. OVERWHELM
3. DECEPTION
4. "FAIR GAME"
5. ATTACK THE ENEMIES' PLANS

These are the five consistent themes that permeate all of Scientology's adversarial conduct. They come directly from the writings of Scientology founder, L. Ron Hubbard, and are embodied in official Scientology policy.

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[6] From *The American Lawyer* article, "The Two Faces of Scientology," by William Horne, July\August 1992. Details on the "existing mental illness" story are covered fully later in this appendix.

[7] SLAPP law, Code of Civil Procedure 425.16, went into effect January 1, 1993. SLAPP laws are designed to protect people from actions which are part of an ongoing campaign to harass them into submission and silence, to deter them from exercising their First Amendment rights of petition, from exercising their First Amendment rights to speak freely on civic matters, particularly on matters of grave and compelling danger to the public safety and well-being, and to deter them from exercising their First Amendment rights of participating in and with government.

1. ATTACK

"**The purpose of a lawsuit is to harass and discourage rather than to win**....Don't ever defend. Always attack. **Find *or manufacture* enough threat against them** to cause them to sue for peace. **Originate a black PR campaign to destroy the person's repute** and to discredit them so thoroughly they will be ostracized.[8] Be alert to sue for slander at the slightest chance so as to discourage the public presses from mentioning Scientology."

"It is my specific intention that by the use of professional PR [black PR] tactics any opposition not only be dulled but **permanently eradicated.**" From a confidential Board Policy Letter of 30 may 1974 Handling Hostile Agents/Dead Agenting.

"Threat and mystery are the lot of intelligence." From HCO Policy Letter of 11 May 1971.

"The law can be used very easily to harass, and enough harassment on somebody who is simply on the thin edge anyway, will knowing that he is not authorized, will generally be sufficient to cause his professional decease. **If possible, of course, ruin him utterly.**[9]"
From "A Manual on the Dissemination of Material" (1955) by L. Ron Hubbard.

In the U.S., the loser of a lawsuit does not pay the prevailing party's costs. A wealthy party can delay, defeat, and discourage legitimate socially correctional lawsuits by "burying" the average citizen in prohibitive legal costs. This destroys the balance and important purpose of our justice system. Such legal brutality helps wealthy parties unfairly avoid potential convictions, liability, and accountability. In the popular phrase, "You can have as much justice as you can buy."

This is especially harmful in situations involving malicious, oppressive, and outrageous behavior where the individual or organization is wealthy. The costs of this new type of "legal" brutality becomes just another normal or acceptable cost of "doing business as usual." A worst case scenario occurs when the individual or organization is wealthy AND is unfairly and illegitimately abusing the special First Amendment legal protections, privileges, and immunities given to legitimate non profit, humanitarian, tax free, and charitable religious organizations.

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[8] These tactics are reminiscent of a basic Nazi propaganda principle. If a lie is big enough, told loudly and often enough, most will believe it.

[9] From my experience, the intensity of activities directed against Scientology's adversaries varies according to the level of importance or legal damage that adversary represents. Critical court decisions or other government investigations, or media attention, also tend to increase activity -- which compliments the target in a paradoxical way, suggesting that they are working on something important and are doing something effective.

"NEVER agree to an investigation of Scientology. ONLY agree to **investigate the attackers**....This is the correct procedure: (1) Spot who is attacking us. (2) Start investigating them for FELONIES or worse, using our own professionals,[10] not outside agencies. (3) Double curve our reply by saying we welcome an investigation of them. (4) Start feeding lurid, blood, sex, crime actual evidence on the attackers to the press....Don't ever submit tamely to an investigation of us. Make it rough on the attackers all the way....You can get "reasonable about it" and lose .... so BANISH all ideas that any fair hearing is intended and start our attack with their first breath. Never wait. Never talk about us -- only them. **Use their blood, sex, crime to get headlines**. Don't use us." From HCO policy letter of 25 Feb. 1966, "Attacks on Scientology."

Scientology has put these and its famous "fair game" policies into action throughout its history, *up to the present day*, to remove any obstacles to its interests.

"An enemy, "[they] **may be deprived of property or injured by any means by any Scientologist** without any discipline of the Scientologist...**may be tricked, sued, lied to, or destroyed**."[11] From HCO policy letter of 18 October 1967, by L. Ron Hubbard, known as the "Fair Game Policy."

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[10] This was done by "ordained ministers" of Scientology.

• Scientology often states the policy was canceled in the 70's. That is another falsehood. An IRS quote on a Scientology disclaimer has application here. "**Here, despite its written disclaimer, petitioner has clearly manifested its adoption of the policy letters in the OEC, (Organizational Executive Course), by its conduct.**" Most importantly, the Fair Game doctrine is a spotlight illuminating the mind and character of Scientology's alter ego, founder, L. Ron Hubbard.

[EVIDENCE FROM AUTHORIZED FBI SEARCH.]•

RACKET EXPOSED

PETER GOODWIN
JIM STATHIS
POLLY STATHIS
PETER KNIGHT
MRS. KNIGHT
NORA GOODWIN
RON FROST
MARGARET FROST
NINA COLLINGWOOD
FREDA GAIMAN
FRANK HANLEY
MARY ANN TAYLOR
GEORGE WATERIDGE

are hereby declared Suppressive Persons for pretending to have and distribute forged and altered "Upper Level Materials" which were of a Reccords nature and not for distribution.

All Certificates and Awards are canceled.

1. Having stolen or illegally procured these dangerous materials (at the instigation of a Psychiatrist) these persons did plot to misuse them to cause Insanity and Death.
2. False report for money that they would furnish the real materials.
3- They are declared Enemies of mankind, the planet and all life.
4. They are fair game.
5. No amnesty may ever cover them.
6. If they ever come to a Qual Division they are to be run on reverse processes.
7. Any Sea Organization member contacting any of them is to use Auditing Process R2- 45.[13]
8. The Criminals Prosecution Bureau is to find any and all .... crimes in their pasts and have them brought to court and prison.

The Public Distributions of False or Forbidden Or Dangerous Data is a Suppressive Act and a High Crime.

L. Ron Hubbard, Founder

•As much as was possible, all of these evidences has been preserved in their original format including spelling and grammar errors. Illustrations could not be be retained in this text format, but where illustrations were present they are described in parenthesis.

[13] A Scientology process where an individual is to be shot with a 45-caliber pistol.

The danger of the "Fair Game" policy is obvious, and the compassionlessness it produces toward its intended victims is highlighted an HCO policy letter of 25 December 1965. This is in many ways similar to what was said about the Jews in Nazi Germany to promote violence against them.

> "A suppressive person becomes fair game. By fair game is meant may not be further protected by the codes and disciplines of Scientology...They cannot be granted the rights and beingness ordinarily accorded rational beings and so place themselves beyond any consideration for their feelings or well being...The homes, property, places, abodes of persons who have been active in attempting to suppress Scientology are all beyond the protection of Scientology ethics."

These policies have been continually used to frame, smear, or attempt to intimidate or blackmail "suppressive persons." Judges who have ruled against Scientology's position are an excellent example. These include:

Judge Jones, Oregon, 1981
Judge Graae, U.S.D.C., 1976
Judge Brown, Cal. Sup. Ct., 1976
Judge Krentzman, U.S.D.C., Florida, 1976
Justice K. Skelly Wright, D.C., 1974
Judge Ritchey, D.C.D.C. 1979.[14]

Scientology's attempts to harrass and discredit these men, and others, are described in two newspaper articles, "Prior Sect Try at Judge Reported," and "Scientology's War Against Judges" later in this appendix. The source of such conduct is indicated by the following "document #8592" which shows the thinking of those who executed Scientology's attacks on judges.

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[14] From "Scientology's War Against Judges" *The American Lawyer* 1980 and "Prior Sect Try At Judge Reported," *The Clearwater Sun* January 24, 1984. Copies are included with this appendix. Scientology spent over $200,000 trying to set up one of the judges.

[EVIDENCE FROM AUTHORIZED FBI SEARCH.]

Document #8592 consists of several pages of actual Scientology training drills on ways to discredit/smear opponents. On this page, the targets are a government employee, a psychiatrist, a newspaper executive and a Catholic bishop.

Drill _____________:

Recognizing basic effectiveness of plans. Take into account effectiveness, security, legality, workability, etc. when making your decisions. Chose which basic plan is best.

a. General scene: person to restrain/remove, Mr. Jones, employee in local govt. agency attacking the Org.

1. Order hundreds of dollars worth of liquor in Jones's name and have it delivered to his home to cause him trouble and make the liquor store owner dislike him.
2. Call up Jones's boss and accuse Jones of being a homosexual.
3. Send Jones's boss evidence of Jones accepting bribes on his job, with copies to, police and local FBI.

b. General scene: a psychiatrist who has instigated attacks on the org via police and press.

1. Expose his Nazi background to the press with evidence that he still attends local Nazi meetings.
2. Wake him up every night by calling him on the phone and threatening him.
3. Send an FSM in to be a patient of his for a year to disperse the psych during sessions.

c. General scene: a newspaper executive Clyde McDonald who's behind local attacks.

1. poison him while he's asleep so he'll never start another attack.
2. Make known to the paper's owner that McDonald is responsible for the paper's decreasing advertising revenues.
3. Spread a rumor around to the paper's employees that McDonald is a communist.
4. Put itching powder in McDonald's clothes so he'll scratch himself all day, thus preventing him from writing a story.

d: General scene: a grammar school teacher who got an applied scholastics grant canceled and is continuing to cause trouble for ASI in other schools.

1. Cleverly kidnap her and run reverse processes on her while implanting the phrase, "I will never attack ASI again, I love ASI."
2. Get copies of the court records where she was found guilty of child molesting and send a copy to the school principal, board of education, and a few school children's parents.
3. Send a male FSM in on her who, after she falls in love with him, will get her to move out of the country with him.
4. Pay ten of her students to write dirty phrases about her on the schoolroom blackboard.

e. General scene: a local Catholic bishop is causing many local attacks on the org.

1. Send several FSMs over to the Catholic church to swear at him in confessionals.
2. Connect him up to abortion and/or pornographic activities.
3. Write the Pope an anonymous letter stating that the bishop

is really a rabbi under cover.
4. Spread a rumor around town that he's against air pollution.

f. Mock up 5 similar examples as above on your own, noting the correct answer.

2. Overwhelm

"In the face of danger from the Govts or courts there are two errors one can make: (a) do nothing and (b) defend. The right things to do with any threat are to (1) Find out if we want to play the offered game or not, (2) If not to **derail the offered game with a feint or attack** upon the most vulnerable point which can be disclosed in the enemy ranks, (3) Make enough threat or clamor to cause the enemy to quail, (4) Don't try to get any money out of it, (5) Make every attack on us also sell Scientology and (6) Win. If attacked on some vulnerable point by anyone or anything or any organization, always find or manufacture enough threat against them to cause them to sue for peace. Peace is bought with an exchange of advantage, so make the advantage and then settle. Don't ever defend. Always attack. Don't ever do nothing. Unexpected attacks in the rear of the enemy's front ranks work best...."

"The goal of the department [of government affairs] is to bring the government and hostile philosophies or societies into a state of complete compliance with the goals of Scientology.[15] This is done by a high level ability to control and in its absence by a low level ability to **OVERWHELM. Introvert such agencies. Control such agencies....**"

"The purpose of the legal officer is to help LRH [i.e., L Ron Hubbard] handle every legal, government, suit, accounting and tax contact or action for the organization and by himself or employed representative, to protect the organization and its people from harm and to **bring the greatest possible confusion and loss to its enemies.**"[16]

The three preceding paragraphs are quoted from Scientology secret policy discovered in COST v. U.S., November 22, 1989. Emphasis added.

It is apparent that anyone critical of Scientology is treated as an "enemy." But more specifically, as reflected in their conduct, just who are the "Enemies of Scientology?"

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[15] These goals will be clarified in a few pages.

[16] Paragraphs 2 and 3 from Vol. 7 Scientology's OEC entitled Executive Division.

[EVIDENCE FROM AUTHORIZED FBI SEARCH.]

THE ENEMIES OF SCIENTOLOGY

...The names and connections, at this time, of the bitterly opposing enemy are

1. Psychiatry and psychology (not medicine).

2. The heads of news media who are also directors of psychiatric front groups.

3. A few key political figures in the fields of "mental health" and education.

4. A decline of monetary stability caused by the current planning of bankers who are also directors of psychiatric front organizations would make us unable to function.

5. The cold war is being fought on home ground and has an apparent target of degrading western society to a point where we are finding it difficult to operate, a degraded society can be swallowed up easily by any enemy.

6. The public is somewhat sympathetic already but in a democracy trials are by public opinion. To win all the way, the bulk of public opinion must be at the level of love us -- hate the enemy.

7. Many groups exist with similar aims. They need organizing and uniting...

[EVIDENCE FROM AUTHORIZED FBI SEARCH.]

DG Infos &
DAG Infos

CONFIDENTIAL

RE: INFORMATION BUREAU STATISTICS

As the above has been the subject of much misinterpretation and misunderstanding the following is issued to clarify the definitions of Connection and Incident.

CONNECTION

A Connection is:

A. Any person or group in close connection to a subject under investigation relevant to the subject's environment in P.T. or at any point in the past (see below),

and

B. Any link, familial, social, economic or professional found between a person of interest to Intelligence or under investigation and **any established enemies, potential enemies, the seven areas or key members of the seven areas.**

The seven areas being:

1. Press and Media
2. Intelligence
3. Psychiatric and Mental Health Groups
4. Professional Medical Associations
5. Financiers, Banking
6. Public Relations Groups
7. Drug Firms and Associations...

HOW SCIENTOLOGY APPLIES ITS ADVERSARIAL STRATEGY

During my 10 years experience inside Scientology, one of their top intelligence operatives summarized the essence of their intelligence strategy for the Church of Scientology's total "Art of War,"• unconditional victory over any adversary:

1. Destroy any and every type of personal or financial resource the adversary could use to support their attack efforts.

2. Completely isolate the target. Isolate, destroy or "dead agent" any and every ally or alliance of the adversary, which could be of any type of support personal, familial, financial, professional, etc.

3. Destroy the adversary's reputation with black PR or dis-information [18] and

4. Destroy their emotional and psychological sanity and ability to continue by constant hammering.[19]

5. Then keep doing 1-4. not just until the attack is stopped, but ideally until you have insured the adversary will never have any future capacity or inclination to mount any future attack.

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[17] A book of military and espionage strategy by Sun Tzu used as a basic training manual in most international intelligence agencies.

[18] Using Scientology's intelligence procedures, enemies would either be broken down or accept Scientology's terms for silence or inaction.

[19] Again, it is interesting to note these tactics contain many of the coercive persuasion basics used on POWS, but in this case applied in free society on a non-imprisoned target.

3. DECEPTION

THE FUNDAMENTAL PRINCIPLE OF WAR IS DECEPTION, according to "The Art of War," a handbook of military and espionage strategy used in Scientology training. So in looking at Scientology's conduct against supposed "enemies," don't be surprised to find a continuous underlying pattern of *deception*.

4. "FAIR GAME"

has already been referenced above, and

5. ATTACK THE EMEMIES' PLANS

will be described in detail under a discussion of "covert operations."

This overview has familiarized the reader with the overall nature of Scientology's adversarial strategy. We will now proceed into specific detail and documentation of the **methods** by which these strategies are implemented.

The following is a partial list of key individuals[20] who have had first hand experience dealing with Scientology's never changing in-and-out-of-court adversarial policy as described in this appendix.

Judge Breckenridge, LA Superior Court
Judge Robert Jones, Portland Oregon
Judge Steffan Graae, U.S.D.C.
Judge Brown, Cal. Sup. Ct.
Judge Krentzman, U.S.D.C., Florida
Justice K. Skelly Wright, D.C.
Judge Ritchey, D.C.D.C.
Los Angeles Federal Judge James Ideman
Los Angeles Federal Special master [judge] James Kolts
Los Angeles Federal Judge Spencer Letts
Former LA District Attorney Raymond Baunoon
Former D.C. Federal Criminal Prosecutor Joseph E. Di Genova
City Attorney's for Clearwater Florida M.A. Goldbrath and James T. Russell
Former opposing attorneys:
  Michael Flynn of Boston
  Gary McMurray of Portland
  Joe Yanni of Los Angeles
  Charles O'Rielly of Los Angeles
  Ford Green of San Francisco
  John Contas of Los Angeles
  Lawrence Levi of Los Angeles.

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[20] This is by no means a complete list. The story of Judge Swearinger, recently deceased, who presided over the Wollersheim trial, is covered in more detail in this appendix. Many hundreds, possibly thousands, of former members could add their verification stories to this list were they not intimidated into silence by Scientology's tactics. Some individuals have signed non-disclosure agreements with Scientology as part of part of Scientology's cash settlements with them, i.e. Michael Flynn, Paulette Cooper, etc.

8086

DETAIL - PART ONE

DOCUMENTATION OF SCIENTOLOGY'S ADVERSARIAL TACTICS

COVERT OPERATIONS

> "You can be merciless whenever your will is crossed and you have the right to be merciless."[21]

These pages will justify and explain the use, in these documents, of such words as "fanaticism" and the other strong language, describing Scientology's origin, nature, actions, and results.

The adversarial tactics of Scientology fall into three main types:

1) **Covert intelligence operations** carried on at a professional level of sophistication near-comprable to a national security agency operation,

2) A new kind of outrageous courtroom tactics called **"legal brutality,"** and

3) **Overt operations** that could include propaganda programs and other overt attacks. Overt operations such as the "legal brutality" programs often are based on a linkage to related covert operations.

COVERT OPERATIONS

The following is a list of Scientology's covert operations practices, many discovered by the FBI during an authorized search of Scientology's headquarters.[22] This material helps us understand the close relation between Scientology's vicious policies and its malicious actions.

Covert intelligence operations cover the following general areas:

1) Electronic eavesdropping and bugging.
2) The creation of false identification and documents to aid in covert operations.
3) The infiltration of organizations that are enemies of Scientology by obtaining jobs under false pretenses or identification.
4) Impersonating a reporter to gain access as an operative and gain or plant information for Scientology.

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[21] L. Ron Hubbard, writing to himself in a notebook that would surface later in LA Superior Court in the Armstrong case.

[22] Any reader of this document who has additional evidence ands information concerning Scientology's ongoing activities toward its adversaries is asked to forward details in writing to Lawrence Wollersheim P.O.Box 10910, Aspen Co. 81612.

5) Breaking and entering into the attorney offices of a critic or enemy.
6) Forced detention of an enemy or critic.
7) Staging a fake hit and run auto accident involving a pedestrian
8) Circulating false black PR stories.
9) Framing critics for lewd sexual conduct.
10) Framing a critic as being connected to organized crime.
11) Burglary and theft.
12) Attempting to get a person incarcerated in a mental institution.
13) Impersonating a person to frame or discredit them.
14) Sending bomb threats and\or framing someone else for it.
15) Confidential materials, disclosures, or confessions given to Scientology by members are routinely used to blackmail, silence, or intimidate that individual if that individual should leave Scientology and becomes critical of Scientology.
16) Infiltrate the court system to alter and steal documents and files before, during or after court rulings.
17 Possible Scientology involvement in conspiracies to commit murder or commit assaults

1.) **Electronic eavesdropping and bugging.** The FBI discovered that Scientology's intelligence operatives bugged IRS meetings where the cult's tax status was discussed. They discovered Scientology had detailed training manuals on exactly how to train its operatives to do this.

2.) The **creation of false identification and documents** to aid in covert operations. The FBI discovered that Scientology's intelligence operatives had made false IRS and Treasury department ID's to gain access to Scientology files kept in those agencies. Operatives normally do not just gather information but also *remove information of evidence or plant false information designed to misdirect or incriminate the target.* Scientology's intelligence operation can create or alter documents to manufacture false identification, false evidence, and false histories for itself and others.

This false history practice is known in Scientology as doing a "history rewrite" by creating or altering documents to support Scientology's new version of reality. History rewrites are most often performed on former members who file suits against Scientology or cooperate with the government.

Courts and agencies concerned to protect society or victims of Scientology need to realize that they may be dealing with a professional intelligence agency. *Appropriate security precautions must always be taken.* All documents which Scientology submits must be verified in minute detail. One must always be wary that supposedly secure court files and evidence or your own internal files have been corrupted or altered by Scientology's operatives, moles, and double-agents.

> "In my opinion the church has one of the most effective intelligence operations in the U.S. rivaling even that of the F.B.I." From Ted Gunderson a former head of the F.B.I's Los Angeles office, quoted in the TIME Magazine cover story of May 6, 1991.

Remember that in 1979, nine of Scientology's top world executives pleaded guilty to extensive burglaries, forgeries, "infiltration," "obstruction of justice," and other crimes carried out *against over 100 Federal agencies* including the Dept. of Justice, The Dept. of Defense and the I.R.S.[23].

If one realizes that Scientology runs a world class intelligence agency devoted to intimidating dissent, with a deep-pockets budget and that this agency does what every major intelligence agency does -- they would have an appropriate perspective. The following documents will shed more light on the sophistication of the Scientology intelligence machine.

•See United States v. L. Ron Hubbard et al., Crim. No. 78-401, D.C.D.C. (1979).

[EVIDENCE FROM AUTHORIZED FBI SEARCH.]

17 OCT 71

INT HATTING:
THE STRIKE

A strike is the action of gathering information on a covert basis. It is performed by one or more agents (persons doing the strike), who are intentionally aiming at a target (the desired info, or the person who has the target info, etc.).

It is assumed that the individual is hatted as an INT agent.

The strike is done in 12 steps, and each step follows consecutively (thus, step 2 should not be begun until step 1 is completed, and any new observation pertaining to an earlier step during the doingness of a latter step requires reevaluation of the interim steps and verification of all the data acquired in the process).

The amount of time spent on a step and the amount of info needed for a respective step to be completed depends upon the target. The objective is to get all of the target info, by whatever means is necessary. For example, if the target is well-known and readily accessible to the agent (s), the strike may be achieved very quickly. On the other hand, if the agent (s) knows very little about the target, has no current access to the target, and the target is a large quantity of data, it may take extensive research, planning, and on-target observation to begin the actual strike.

The quantity of knowledge needed to complete each step is relative to the circumstances of the target.

THE STEPS OF STRIKING

1) Receive the assignment to strike. This usually comes in the form of an order from the agent's senior. The senior may either officially order or unofficially suggest the strike, either way, the idea is given to the agent that the info must be covertly gathered from some source.

2) Take ownership of the job. Here the individual determines that he is going to be the one to do the strike.

3) Identify the target. This may be knowing the name of a person or group on whom info must be covertly gathered, or it may be knowing the specific location of the piece of wanted data, or simply being told to "see what they are up to." Either way, the purpose here is to have a starting basis for the strike.

4) Gather info on the target area (the location of the target) for the purpose of striking. This includes any info that would be pertinent to striking. Info is pertinent to striking if it helps the agent to locate (pin-point) the specific target, gain access to the target area and the target, learn the routines of the target area, or anything else that would help to put the agent in control of the target during the strike itself.

[EVIDENCE FROM AUTHORIZED FBI SEARCH.]

5) Determine the most optimum means available for gaining access to the target area, on the basis of the info now known about it. This includes having a cover.

A cover is the pretense the agent assumes to make the strike possible. It includes anything that protects the agent from exposure as the agent of the strike (e.g., assuming the cover of a newspaper man who wants to write an article on Scientology, with the objective of having the target group provide the agent with info on its activities as regards Scientology, but not know that this info will be used by Scientology itself). The most optimum cover is one that excludes the agent from any suspicion by the target. In some instances this would include wearing squeakless shoes, and carrying a large purse or attaché at all times so that the one time the agent is carrying target info in the purse or attaché, he is not questioned about its contents.

6) Gain access to the target area. This may include obtaining full-time employment from the target if the target is an organization, or simply contacting a person on a friendly basis so that the agent can gain access to personal files kept at home, or any other means that provides access to the target and a time span of access to the target that will allow the agent to gather all of the info that is wanted.

It is possible that the access to the data will require repeated strikes -- and thus, long-term procedures (e.g., full-time employment would allow long-term procedures and repeated strikes if the target were an organization).

This step may also be called penetration.

7) Directly observe the target area for verification of the knowledge gained in the preceding steps and continue to gather new data that would be pertinent to striking. This includes determining the actual security measures used by the target area to keep the target safe. (e.g., guards making security rounds, locked cabinets, maintenance personnel after working hours, closed circuit TV cameras, alarm systems, etc.).

Three tools that are available to the agent (and have been tested and proved valuable in actual strike activity that required very strict security) include:

#1 - SECURITY RULE OF THREE: If the agent observes an activity in the target area occurring three separate times under identical or similar conditions within a given period of time (usually one week), he can use these observations in planning his striking activity.

One always observes for current and usual (predictable) activities in the target area, and accessible exits from the target area for "quick-get-away."

#2 - SECURITY RADIUS: a distance around the target that can be postulated as creating a safe condition for strike activity. The radius may be used to listen for persons coming near the target area during strike-preparation and actual strike activity. (e.g., if the strike requires that no one know that the agent has been in the target area, the agent should be able to hear someone enter his security radius and quickly leave the

.arget area without being seen or heard by the intruder and without leaving evidence of his presence).

#3 - If the target is extensive written material, it may be most optimum to have a separate location from the target area for reading and Xeroxing or transcribing the data -- this is called a SAFE READING PLACE. If this is needed for strike activity, it should be determined during step 7 of striking procedures.

The final aspect of step 7 is evaluation of all data obtained upon direct observation of the target area and re-evaluation of the data learned in the preceding six steps in light of the direct observation data.

8) Determine how to safely get the target information from the target area to the person who wants the info. (This would include making sure that the agent's cover is adequately planned (e.g., the big purse, etc.)

9) Plan the actions, step by step, that will be necessary in doing the strike. For instance, it may be found that the most optimum time to strike is between 12:30 PM and 12:55 PM. Thus the agent would plan to arrive at the target area at 12:31 PM; if the target area is safe (no persons present), he would then proceed to perform the strike, always listening to his security radius for intruders; he would proceed with operations until 12:50 PM, making sure that he is out of the target area by 12:52 PM. This plan might include hitting the target, getting the info Xeroxed in the safe reading place, and returning the target info to its original location by 12:50 PM.

This step includes preparation for any unusual circumstances that might arise and how they would best be handled. For instance, if someone entered the security radius of the above situation at 12:40 PM, would the agent leave the area immediately or wait for the person to leave the security radius?

The purpose of step 9 is to make sure that the agent has enough knowledge to perform the strike safely, accurately, and thoroughly.

10) On the basis of the preceding steps, begin either a pretend dry-run of the strike (to check for unknowns and remedy them immediately) or do the actual strike, depending on the circumstances of the entire situation.

The following is an example. It was actually done by an agent in both dry-run and actual strike procedures at a national organization's headquarters. The agent was a full-time employee of the group, and worked on a different floor from the one where the target info was located. The agent had to maintain a totally safe operating condition during strike procedures (i.e., It was predetermined that anyone within the security radius was dangerous to the agent and warranted stopping strike activity immediately, and that the less time spent in the target area the more safe the operating condition):

a -agent went to the target area -- no one else was present -- proceeded.

b -agent found target file.
c -agent stood near target file -- the label appeared to indicate this file was the target. Agent determined a safe radius for future activity and listened for the usual sounds -- a through c were safe, proceeded.
d -agent checked file contents, always listening to the security radius. Still safe, so agent proceeded.
e- file contents appeared to be wanted, could agent pull them to take to the safe reading place? Yes. Agent proceeded.
f -Agent took file to safe reading place, going by the (predetermined) quickest route, agent observed security radius at all times.
g- target data was exactly what was wanted. Agent Xeroxed data and then hid Xeroxes in a place that was safe while the agent was returning the target materials. This included the possibility that the agent would not be able to return to the hiding place for quite a while and a place that would not indicate that the Xeroxes belonged to the agent if another person found them.
h -agent returned to target area, repeating steps a through c, then put file back exactly where it was found (continually observing the security radius).
i -agent took target data (Xeroxes) out of the building without being suspected. This required wearing a cape under which the Xeroxed data was hidden in a large purse and being friendly with the night guard.
j -Agent took evidence and written report of all strike-related activities to agent's senior within 3 hours after strike occurred.

11) Get info to the person who wants it, by the safest and quickest route.

12) Report all strike-related actions in a written report.

It should be noted here that written progress reports (most optimum) and verbal reports may be given to the agent's senior at any time during the strike procedures. Any report should be written with the objective of informing the senior of the progress done to date and/or reporting any change in agent-like or strike-related activities. A report never serves the purpose of asking the agent's senior to handle the agent's problems.

SUMMARY AND COMMENTS

As stressed before, the individual circumstances of the target and the agent determine the extensiveness of the work done in each of the 12 steps and the time it takes to achieve the strike.

If the agent is required to return to the target area on several occasions to get the target info, he should always be observant of new developments and handle each new development as it arises. This may mean simply making a small adjustment in the plan of striking or it may mean a total halt of all agent-like activity until the agent is safely able to continue with the preparation steps and doingness of the strike. (As when the target begins to suspect the agent's activities and tries to protect itself from a strike).

Certain striking activities require more security than others. The agent must determine the degree of security he must maintain, as it is relative to his individual situation, in order to achieve the strike.

Whether a strike takes 15 minutes to prepare for or 15 months, the key to the whole game is observing what is really there, not what you were told should be there; and working on the basis of what you know.

END OF REPORT

Kathy Gregg
INT CH COMM
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3.) The infiltration of organizations that are enemies of Scientology by obtaining jobs under false pretenses or identification. The FBI discovered that Scientology's intelligence operatives regularly did this to obtain information and run covert operations on the targeted organization.

From personal experience inside Scientology for ten years I can unequivocally state that Scientology's thought reform programs have as one of their goals the turning of members into covert operatives for Scientology.[24] Members soon learned it was a great honor to be in the intelligence division of Scientology or be asked by its members to assist them with some covert operation against a Scientology enemy. While in Scientology, and now from the outside, I have seen this process at work time and time again.

Since detailed personal histories are assembled on everyone who enters Scientology, Scientology's intelligence division can access moles[25] who don't even know they are moles yet--- the perfect deep cover intelligence mole. Scientology recruits its members from every walk of life, the police department, the government, the phone company, the military, the court system, etc. If these members have been through enough of Scientology's thought reform programs, and if they have access to something Scientology needs, they will be asked and recruited to use their positions, computers, or authorities to covertly provide whatever they are asked by Scientology's intelligence division.

The LA Superior Court and other court systems are particularly vulnerable to this infiltration by paid operatives who obtain jobs under false pretenses or who are recruited into Scientology after they are legitimately working in the court system. This infiltration factor does not even include the susceptibility of underpaid government workers to Scientology's other inducements to compel someone to do something for them.

The fanaticism of the Scientology's professional intelligence and covert operation machine presents problems that the normal security procedures of the justice system are ill prepared to deal with. As I found out the hard way during my trial, one can not assume that the evidence put into submission with the court, or the transcripts, will be there or unaltered when they are called for again. Never assume that false information has not been planted into supposedly protected court files after the fact.

There is now reason to believe that Scientology's secret infiltrations have spread and become more sophisticated. It is believed that Scientology operatives have infiltrated the ethics and governing boards of their major adversaries, the American Medical Association, the American Psychological Association, the American Psychiatric Association, the American Sociological Association, as well as the ethics and governing boards of the bar and judicial organizations in areas where they have frequent and important lawsuits.

It would not be unreasonable to suppose that Scientology's infamous "Snow White" operation (the master operation discovered by the FBI which sent Scientology's top executives to jail) was still in active operation. Its goal was (or *is*) to infiltrate all levels of over 100 branches of the U.S. Government that could harm or interfere with Scientology's growth.

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[24] Also see appendix sections "Scientology's Actions Toward its Adversaries" and "Coercive Persuasion and Scientology".

[25] Intelligence terminology for a deep cover operative who exists within a organization and remains inactive possibly even for years until they are needed and then activated. Deep cover moles are very difficult to detect because they have behaved like loyal members of the organization, possibly for years.

Further reason to protect our institutions against Scientology infiltration comes from another type of strategy that Scientology repeatedly has applied to its adversaries and which permeates Scientology's operations. This strategy also comes from the bible of Scientology's intelligence division, "The Art of War."[26] In paraphrase:

> **Never attack the enemy's army -- particularly cities or fortifications -- if there is any way of avoiding it. The acme of war is to always attack the enemies plans first. In this way destructive battles and human and resource loss is minimized or averted long before they can ever take place.**

By infiltrating the offices and organizations of any perceived adversary or those organizations which influence or control the adversaries' ability to attack (state bars, medical boards, congress etc.) Scientology can subvert any plans of its adversaries which are not compatible with Scientology's interests before they ever get off the ground. That way it doesn't have to fight battles in "fortified cities."

4.) Impersonating a reporter to gain access as an operative and gain or plant information for Scientology.

The FBI discovered that a Scientology's intelligence operative had posed as a reporter to gain access to materials on Scientology collected by the Better Business Bureau.

Posing as a reporter is one of Scientology's favorite techniques, as was related to me by one of their top intelligence operatives while I was still in Scientology. In fact, I myself was sent to infiltrate the AMA at their Chicago headquarters using the reporter impersonation ploy.

Scientology used this tactic on me, with a paid operative in Aspen Colorado posing as a reporter to "interview" me and steal personal materials. This individual, and other operatives, then began a local black PR campaign of outright lies and distortions which destroyed my then existing business and eventually caused me to move from Aspen.

One of Scientology's other strategies, related to me by one of their top intelligence operatives while I was still in Scientology, was that it was acceptable to buy an underpaid legitimate reporter in order to kill a story on Scientology, mitigate it, or turn the story into an attack on one of Scientology's enemies. The impression I got was that it is far cheaper and easier to "convince" the reporter (i.e., offer more money than the reporter would usually ever see in a lump sum,) than risk having to spend or lose a fortune later on damage control or lost income. If the reporter refused the easy big money he could then be investigated for possible blackmail, or harassed.

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[26] If by chance you become a possible target of Scientology's vindictiveness, I recommend you study this book until you know it cold. It will allow you to better defend yourself because you will be able to see the patterns and themes to the apparently random occurrences that might be occurring in your life. It will allow you to predict their actions and, more importantly, assist you in preparing safety precautions. Since it is my experience that Scientology first concentrates its efforts to discover and then to attack your plans, take the time to anticipate where it will occur and prepare against it.

The operative's goal is to make the resulting story, if any, conform to these points:

1) Positions that forward or legitimize Scientology's standard propaganda lines.
2) Positions that forward or legitimize Scientology's standard attention-redirecting enemy attack lines.
3) Positions that forward or legitimize Scientology's standard legal liability-limiting disclaimer positions.

Good legitimate reporters who have done their homework will not be tricked into ignoring all contrary facts and forwarding or legitimizing these enemy attack lines and disclaimer positions.

[EVIDENCE FROM AUTHORIZED FBI SEARCH.]

DEC. 6, 1968.

DEAR MO,

RE: INTELLIGENCE

THE FOLLOWING ARE POSSIBILITIES FOR COLLECTING DATA.

1. INFILTRATION.
2. BRIBERY
3. BUYING INFORMATION.
4. ROBBERY
5. BLACKMAIL

THE LAST TWO ARE, OF COURSE ILLEGAL.

INFILTRATION COVERS TWO METHODS - SOMEONE JOINING THE ENEMY WITHOUT THE ENEMY'S KNOWING AND SOMEONE, DISAFFECTING PRESUMABLY, TO JOIN THE ENEMY.

FOR GIVING THE ENEMY FALSE DATA, YOU CAN DO THE FOLLOWING:

1. USE INFILTRATOR TO SPREAD ALARM AND FALSE DATA.
2. SEND OUT FALSE DATA PURPOSELY.

LOVE,

PETER HOLLON

5.) Breaking and entering into the attorney offices of a critic or enemy. From confidential internal directives and actual covert operation documents, the FBI discovered Scientology's intelligence operatives had done this repeatedly. Among many instances they broke into and entered the homes and offices of numerous enemies and critics. The FBI discovered detailed training manuals on exactly how to "case" the target, break in through force or with lock picks, and create cover stories if caught.

A specific example of these tactics involves ex-Scientologists Robert Dardano and Warren Friske who testified to some of the activities they and others were involved with on behalf of the Church. These activities include the burglary of the Belmont office of a psychiatrist in order to steal files, the theft of documents from a Boston law firm, and the planting of a church member as a volunteer inside the state attorney general's office to intercept consumer complaints about Scientology.

[EVIDENCE FROM AUTHORIZED FBI SEARCH.]

9 Mar 75

VETTING HAT WRITE UP

PURPOSE: To clean USBI files of legally actionable evidence against the GO and its personnel.

Definition of `EVIDENCE' "4. in law, a) something legally presented before a court, as a statement of witness, and etc. which bears on or establishes the point in question; distinguished from testimony and proof....

[page 2]

1. Mentions or the ordering of a B & E.
2. Evidence that anything was stolen by one of our guys. (This does not mean someone else like PC saying we stole something, this means us saying we stole something).
3. Lines similar to `Here are the docs we got in our usual way late last night".
4. Implications of casing, including keeping checks on schedules and working hours as well as locks on doors etc.
5. Implications of posing as a Govt agent.
6. Evidence of tapping phone lines or illegal taping of conversations.
7. Mentions of harassment of an individual although not necessarily a full operation (so not sent to ops).
8. Any evidence of bribery.
9. Any mentions or recruitment of FSMs to be any kind of an agent. (This is Solicitation and a crime).
10. Also vet wordings like `this will get him' or lets 'wipe him out' or `this will be good for dead agenting' or we are `planning a covert op on him to handle him' or this will `strengthen our attack on him'.
11. Any mentions of entrapment setting up someone to commit a crime either directly or indirectly.

We must now vet every particle coming into CIC before it goes to the files. So when you send a particle to files be sure to vet it and label it with a red V in the lower right hand corner.

REMEMBER each particle does not need to be thoroughly read as you are vetting, scan it enough to be sure you would catch any of the above instances and go on. Any Questions, ask CICOF.

Love CIC OFF

The next 6 covert operation tactics are demonstrated in but, by no means limited to Scientology's "Operation Tricycle," the remarkably successful Scientology takeover of the City of Clearwater, Florida, which is described immediately following this page.

6) Forced detention of an enemy or critic. The FBI discovered that Scientology's intelligence operatives will take individuals against their will to detention areas and refuse to let them leave. This happened with Michael Miesner, a former member who later tuned states evidence for the FBI and help send 9 of Scientology's highest executives to jail. More recently, this has happened with many other former members who wanted to leave or were classified as security risks.

7) Staging a fake hit and run auto accident involving a pedestrian. FBI evidence showed that this plan had actually be executed in an effort to disgrace Gabriel Cezares, a former mayor of Clearwater Florida and Scientology critic.

8) Circulating false black PR stories. Mark Sableman, reporter for the *Clearwater Sun*, was critical of Scientology. The FBI discovered that Scientology's intelligence operatives circulated a rough draft of a fictitious news story using Sableman's name, alleging that 19 Florida legislators were linked to the Mafia, gambling interests, and were involved in bribery, blackmail, and illegal transactions.

   On July 15 1990, a *London Sunday Times* article revealed Scientology spent $200,000.00 or more to organize a worldwide Black PR harassment campaign against Russell Miller. Mr. Miller was a *Sunday Times* journalist and author of a Scientology expose, "The Bare-Faced Messiah."

   Dr. Margaret Thaler Singer has been a recent and ongoing favorite target. A dead rat with a stake though its heart was left on her doorstep. Her home has been vandalized, rats released in it, and some of her research stolen. En route to an educational conference on thought reform and cults, she was detained by British immigration police based on *an anonymous tip that she was a member of the IRA.*

9) Framing critics for lewd sexual conduct. The FBI discovered that Scientology's intelligence operatives had created a operation called "Priority A" to be done on Mark Sablemen. The plan called for a elderly Scientology operative from out of the area to go to the editor of the *Clearwater Sun* and accuse Sableman of molesting the operative's son. Episcopal Vicar Mike Rokos had stories broadcast that he was a convicted sex criminal.

10) Framing a critic as being connected to organized crime. The FBI discovered that Scientology's "Priority A" operation also called for a Scientology operative to go to the editor of the *St. Petersburg Times* and deliver an envelope with $100 cash in it for Betty Orsini, (a newspaper reporter critical of Scientology.) The operative was to say that the money was from a well known mobster in return for information Orsini had supposedly passed to the mobster.

11) Burglary and theft. The FBI discovered that Scientology's intelligence operatives had burglarized the offices of lawyers for the *St. Petersburg Times*.

[EVIDENCE FROM AUTHORIZED FBI SEARCH.]

SECURITY OF THE OPERATION

The first consideration on security is always the personnel chosen to do the job. Professionals would usually choose someone who is confident and competent, easily trainable and fully trained. In other words in Scientology terms, people who are not PTS, who are not ethics cases. Additionally one would normally choose someone who is motivated by duty or other high motivation to prevent later sell-outs or discovery by reason of an agent turning...

SECURITY OF THE ORGANIZATION

Professionals are always working for some person or group which for the purposes of this section will be referred to as an organization. If the agent's motivation for working for the group is high, then this section will concern the agent as well.

Any professional intelligence group has to confront the possibility that at some stage an agent will be picked up. The most serious of these is when the agent is picked up in the actual act of stealing documents or in position where he is about to steal documents, or has just stolen documents and is moving to his base with the material. Therefore agents are frequently given instructions along the lines of "if you are picked up by the police, don't say anything more than you are required to by law", which is usually your name and address but this varies depending on the area. This is of course if the agent is in a position where no story would explain the outpoints confronting the police. The agent will probably be arrested at this stage and should quietly arrange a lawyer through a law society or legal aid society. Such societies abound these days and a name and address of one can be memorized beforehand.

The organization usually arranges some method of communication so that the agent can tip them off that he has been picked up. Any organization that has a desire to retain its agents or to continue recruiting agents, usually has the sense to provide bail through some bail bond system that allows the organization to remain anonymous, pays any legal fees incurred and gives every possible moral encouragement.

Additionally, any agent working on such operations would have nothing in his possession that connected him with the organization, nothing at his home address that connected him with organization and no possible way of tracing him back. For example, an alternative employment or no employment, but certainly no mention of employment by the organization. This is the usual exchange between agent and organization in the event of an arrest. The agent protects the organization, the organization assists the agent in every possible way. Such preparations are also usually made well in advance, so that the agent's recent history does not show any connection with the organization.

COVER STORY

One trick used by professionals is, after the casing has been completed and the plan decided on, a series of cover stories are mocked up to cover each stage of the operation in the event that the operation is blown at any point. Such cover stories usually relate to the most vulnerable state of operation. For example, an agent might prepare a story as to why he was in that particular neighborhood, why he was on that particular street, why he knocked on that particular door, even what he was doing in that particular backyard. Thus if he is picked up at any of these points he has a plausible explanation as to what he is doing.

On occasion cover stories are mocked up to cover being caught in the act. It is sometimes to the advantage of the agent and the organization, if the police believe that the agent was actually breaking in for money or goods, rather than documents or files, as the police have a common R with criminals who they can duplicate, but sometimes get frantic when confronted with intelligence operations. Such cover stories as mentioned above would also be designed to handle the local security guard, the local resident or staff member or whoever discovers the agent in the beginning stages of the operation...

[EVIDENCE FROM AUTHORIZED FBI SEARCH.]

Distribution

DG US DDG US
DG I US &
BI US & BI Base as
OK'd by DG I US

POWER PROJECT 4: TRICYCLE

Ref. GO Orders 261175 LRH "POWER"

Target 3

PROJECT INFO: This project follows HCO PL Targets Defense "If we unite all groups into an interplay and use all forces extant and channel them we have a very big chance of winning" "SO we can and must take the lead." "And we ourselves must develop many leaders."

MAJOR TARGET: To proof up ourselves against any potential threat by taking control of the key points in the Clearwater area.

VITAL TARGETS:

1. Any obstacles or opposition to these targets that arises must be removed to the point of no further threat or barrier to obtaining the Major Target.
2. Do not depend on or wait on other collection targets for these research targets.
3. Excellent security must be established and maintained on this project throughout all stages but must not stop the progress of this project.

PRIMARY TARGETS:

1. AG 1 Base and Ops Officer Base are responsible for this project.
2. Utilize any existing data for the selection of your targets.
3. ODS Officer responsible for recruiting (with help from B1 US), planning and running of agents.
4. Finances for transportation and initial support of agents for this project are to be arranged by the AG 1 Base in liaison with the AG F Base.
5. Regular reports are to be made to US, WW and CS-G.
6. Those concerned are to M4 star rate this project and HCO

PL. Targets Defense.

OPERATING TARGETS:

1. List out all news media and the heads or proprietors of news media that are distributed or broadcast in the Clearwater area.
2. Look for any one group or place where all heads of media in number 1 above come together.

No number 3 listed.

4. Work out a way to gain (B1) control or (PR) allegiance of each media head or proprietor (beginning with those found in target 3 above).

   (Note: Control can mean buying the media or controlling interest or it can mean holding a powerful position with the media). Submit a targeted take over project to DG I US for approval.
5. Implement approved handling when received.
6. Locate key political figures (ones who influence the area).
7. Work Out a way to get control or allegiance of each. Submit final project to DG I US for approval.
8. Implement approved handling when received.
9. Locate the key financial influences in the community.
10. Work out a way to gain control or allegiance of each. Submit final project to DG 1 US for approval.
11. Locate the people and groups peculiar to the Clearwater area which exert the greatest control/influence in the area (possible example - Board of Realtors).
12. Work out a way to gain control or allegiance of each. Send projects to DG I US for final approval.
13. Implement approved handlings when received.

DICK WEIGAND
DG I US
FOR
HENNING HELDT
DG US
FOR
MO BUDLONG
DG I WW
FOR
JAN KEMBER
GUARDIAN WW

[EVIDENCE FROM AUTHORIZED FBI SEARCH.]

RE: CHINA SHOP: CLEARWATER SUN

Dear Dick,

Here are some observations and data on Clearwater Sun recently received;

A study of the paper does not show a political or intelligence angle. Only evidence that the paper attacks everyone. Any Good News is converted to attack. This paper (Clearwater Sun) may influence the two other papers that have offices in Clearwater (St. Petersburg Times and Tampa Tribune, believe) or those two influence the Sun.

The only conclusion that can be drawn is that somewhere in the editorial structure they have an institutional case - a has been one or a should be one. For it a characteristic of insanity to attack everything.

JOHN E. RICKETSON:	PUBLISHER
AL HUTCHISON:	EDITOR & GENERAL MANAGER
RON STUART:	MANAGING EDITOR
TERRY PLUMB:	ASSOC EDITOR
MIKE PRIDE	CITY EDITOR (per Sableman)
MARK SABLEMAN:	WRITER
ALSBURY:	WRITER
NORMAN MORGAN:	WRITER
STEVE SNOW	WRITER
CIRCULATION	30,000
AD SPACE:	Not spectacular
FINANCE ESTIMATE:	Not so hot (their finance condition)
OWNERS (per Sableman): (and B-1 Msn)	JEFFERSON PILOT CORPORATION (OF GREENSBOROUGH, NORTH CAROLINA

Our target On this, very confidentially, is ownership or control of the paper. So, as you know, the finance information. on the paper, its debts, its income (and how it could be cut) are prime information needs. Also detailed info on the posts of the staff editors, etc.

Love,

Henning
DGUS

HH/bc

[EVIDENCE FROM AUTHORIZED FBI SEARCH.]

DDG US
DG INFO US

RE:PREDICTION IN CW
Yours of 10 March 76

Dear Duke,

You asked for a chart of enemy lines used up to this point for CW (Clearwater) attack after research of the files was done.

Attached is this chart. It looks complete to me.

From this I see the areas of priority to Infiltrate are:

1. SPT (St. Petersburg Times)
2. Mayor
3. Channel 13 TV
4. Snyder
5. Florida Attorney General Florida State Attorney (Russell)

As things have been quite hectic with me the last two days I wanted to send this to you to go over. Any changes or additions you want to make would be fine.

DM/mw

Tactics 12, 13 and 14 will be demonstrated in reference to "Operation Freakout" against journalist Paulette Cooper. The matter of Paulette Cooper was still unresolved at the time of the FBI raid on Scientology headquarters in Los Angeles, and documents describing her handling-to-date ("Operation Freakout") were there to be seized. Some of them appear following this page.

12) Attempting to get a person incarcerated in a mental institution. The FBI discovered that Scientology's intelligence operatives created and began to enact an operation called "Operation Freakout" whose purpose was to drive Paulette Cooper insane and then into a mental institution.

13) Impersonating a person to frame or discredit them. The FBI discovered that Scientology's intelligence operatives planned to impersonate Paulette Cooper, go to a Laundromat, and threaten to kill the President. A second intelligence operative inside the Laundromat would tell the Laundromat personnel to report the threat to the government.

This chilling example involves Paulette Cooper, the author of "The Scandal of Scientology." The Church's response to Cooper's book is detailed in a document describing "Operation Freakout" which was designed to *"get PC incarcerated in a mental institution or jail, or at least to hit her so hard that she drops her attacks."*

Cooper, who says she was served with 18 lawsuits against her by the church, had a nervous breakdown after someone sent Scientology a bomb threat on her stationery. She was cleared of all charges after the 1977 raid which uncovered Scientology documents documenting the frameup.

In a section titled "VITAL TARGETS," the document "Operation Freakout" gives specific details of the harassment program against Cooper. Such actions include an obvious attempt to impersonate Cooper, with directions like: *"To recruit an FSM (Field Staff Member) that looks like PC...," "to get familiar with PC to find out some of the clothes she wears particularly what sort of coat she usually wears...," "To get a cheap coat that is very similar to PC's." "To have someone available to steak (sic) out PC when she leaves her place the day of the caper, to ascertain when she leaves, what she's wearing, etc.," "Obtain wig that looks like PC, so that FSM PC can wear it during caper,"* etc.

Further details of "Operation Freakout" describe framing Cooper on a bomb threat against two Arab consulates in New York City. A further memo dated 13 April 1967 regarding "PC Op Freakout" states, *"The FBI already think she really did do the bomb threats on the C of S."*

8108

[EVIDENCE FROM AUTHORIZED FBI SEARCH.]

1 April 1976

OPERATION FREAKOUT

MAJOR TARGET:

To get P.C. incarcerated in a mental institution or jail, or at least to hit her so hard that she drops her attacks.

PRIMARY TARGETS:
US B1 NE SEC working in liaison with OPS NAT if needed.
To remove PC from her position of power so that she cannot attack the C of

---

RE:

Dear Dick,
SITUATION: Copper is still not terminately handled.
DATA: Cooper is
Attached is approved Op Freakout. This additional channel. Should really have her put away

The FBI already think she really did do the bomb threats on the C of S.
SOLUTION: OK this additional Channel.

This is OK ________________
Approved ________________
Disapproved ________________

Love,

Randy

OP FREAKOUT

OPERATING TARGETS:

CHANNEL 1:

~~1) Telephone call PC to ascertain if she is home alone. She must be home alone.~~

AG I NY

2) When she has been found alone, telephone (during the work week) 2 Arab Consulates in NYC, from telephone booth nearest PC's place. Telephoner should be a girl that

sounds like PC and the call should be fast, to the point, and impinge. It should go as follows: from a totally trusted non staff member.

"I just came back from Israel (pronounces the way it is pronounced in Israel) I've seen what you fucking bastards do. At least you're not going to kill my sister. I can get away with anything. I'm going to bomb you bastards. Say something in Jewish/ swear or mumble something Jewish.

AG I NY

CHANNEL 2:

1) Obtain a copy of Writer's DIGEST - a writer's magazine - (if not available get any writer's magazine.) person who obtains this magazine should be disguised in some way and not traceable back to the org. Don't order the mag. by mail. One should easily be found on the newsstands or in "back issues" stores.

AG I NY

2) Obtain the latest promo of the T.M. (transcendental meditation) that PC is going to, same security as above.

AG I NY

3) Cut out "letters" from both of the above publications. Include "CAPITOLS". Arrange the letters, pasted, on a clean piece of paper (not Org paper) If there is a blank page or nearly blank page in the writers magazine, use it, crossing out in ballpoint anything written on the page. Paste or glue the letters so that they say the following:

"All of you are distroying Isreal. You're just like them. My sister lived you basterds. I was there - I saw the wonderful people. Nobody can touch me. I'm going to kill you basterds. I am going to bomb you. Kissingger is a traitor. I'll bomb him to. It makes me very sick. I must meditate. You are spying on me even in Isreal. Your day will come soon. I'll expose you and bomb you."

Go to library and type out the name of the NY Consulate and address of the Nation that is most anti Isreal (attacking it). (No prints) Use "Capitols" on the envelope.

4) Place "letter" into the envelope, seal, and mail from the mail box nearest PC's place.

INSURE SECURITY / NO PRINTS on any letters, envelope, or paper, or stamp.

INSURE no paper from AG Office or Org is used.

Entire action should be done out of the Org.

NEED TO KNOW strongly inforced. PR, Communicater Legal should not know. Max should do this entire action.

If in doubt about "did my prints get on anything" throw everything away and start fresh.

CHANNEL 3:

1) FSM in VT # 3 telephones and makes a definite appointment with PC. Sometime when the laundry (in VT # 12) is open. The place should be a restaurant or bar/ one of the purposes of this action is also to get PC drunk.

AG I NY

2) FSM above meets with PC.

AG I NY

3) Stakeout FSM (see VT # 8) communicates with Case Officer and PC Double FSM (see VT # 1) and alert the former what PC has on, how her hair is arranged, does she have her usual coat on etc.

AG I NY

4) "PC FSM" changes to the closest clothes they have, matching PCs. If PC has on blue Jeans/ change to Blue jeans. If PC has on her usual coat put that on. (see VT # 3 and 4) What ever PC usually wears (a favorite sweater etc.) a yellow dress, blue, green etc. sneakers, a yellow scarf etc. should be had by PC FSM ready to change into. In other words several different out-fits should have been obtained by PC FSM, so that when the caper goes down, she can immediately change into the color or type of outfit that PC has on.

From the observation of the stakeout FSM --- to the change of PC FSM's clothes, only 3 minutes should have gone by. If PC let us say has her hair up, FSM puts her "hair up" very fast it doesn't have to be a good job/ just so it's "up".

AG I NY

5) PC FSM goes immediately into the laundry and does the following caper. (wearing sunglasses) This is done immediately, so that PC could have done it on her way to meet the FSM or FSMs for drinks.

(Patter/ PC FSM goes into laundry. Acts very confused. Says "I'm P.C. Do I have any clothes here? Clerk says no FSM demands clerk checks. Clerk comes back. Says no again. FSM screams You're crazy, my name if PC, check again! When clerk says no or whatever he does, FSM goes PTS 3/ You're one of them! I'll kill you. You're a dirty Arab. You fucking basterds. I'll bomb you. I'll bomb the Arabs. I'll bomb the President. I'll kill that traitor Kissingner. You're all against me."

If an Item of PC's clothing was obtained at TM, FSM leaves this on the counter or drops it on the floor.

FSM

6) PC FSM leaves laundry immediately, turns the corner and gets into "pick up" car. Takes off "PC's coat" Wig or whatever. Changes her looks fast.

FSM

7) Mean while, immediately after PC FSM leaves laundry, observation FSM (see VT # 2) asks laundry clerk if they do Suede cleaning and also says, Boy was she crazy! real casually says I think you should call the police with all these nuts threatening to kill the president FSM leaves. FSM should be disguised and not work on staff.

FSM

8) FSM calls from a phone about 5 blocks away, the FBI and says that she/he doesn't want to get involved and doesn't want to give her/his name but some nut girl in (the name of laundry) just went crazy and threatened to bomb the place and kill the president. With all these nuts running around I thought you should know. The guy in the laundry heard her too." HANGS UP, and leaves immediately and gets out of there. This call/ the FSM's voice should be disguised. All these type calls are tape recorded. (FSM should not be told this; just to disguise her voice.

FSM

PRODUCTION TARGETS:
CHANNEL 1: Should be done within 2 days of receiving this project.
CHANNEL 2: Should be done the day after the above channel is done.
CHANNEL 3: Should be done within 1 week after the above channel is done. (and when other FSMs can get an appointment with PC
[***handwritten***] ***CHANNEL 5 10 days after channel 3 is done.***

Love,

Puck

CHANNEL 4:
1) Do not tell "Pin Ball "FSM or TM FSM about this OP, but alert them to immediately report any thing PC tells them. Have them try to speed up their relationship with PC, for feed back purposes. Get feedback on this op. (cleverly)

AG I NY

CHANNEL 5:
1) Wait 10 days after the completion of CHANNEL 3. If nothing has accrued from feedback, on PC. Then have the following action done:

FSM Female disguised voice, calls the Arab Consulate and asks for the Press "attaché". talk through a piece of thin paper covering the mouth of the phone. This will be tape recorded but don't tell FSM on this. FSM says crying to Attaché:

5) cont.
I just want to tell you there is someone a writer by the name

of PC, who recently came back from Israel. She works for Israel Intelligence. She's also insane. She was in a Concentration Camp in Nazi Germany. She's been seeing Psychiatrist for years. Her sister is also with Israel Intelligence and lives in Israel. She talks when she high on drugs or drunk ***[handwritten] Lately she's been talking about bombing your embassy. I hate the damn Jew.*** FSM hangs up and leaves fast.

[EVIDENCE FROM AUTHORIZED FBI SEARCH.]

[handwritten] op Freakout 2:
No prints!!!!

Additional channels on Op Freakout. (Lovely)

1) When TM or Pin ball FSM meets with Lovely, they get drunk! Another FSM male, has a funny typed out joke. One of these full page sexy jokes. It has a plain white cover on it - a plain typewriter sheet. FSM has 2 copies of this. He shows one copy all around the bar, obviously so that lovely and FSM can see him doing it. Then drunkenly comes over to FSM's table and wips out "joke" to show FSM. Both FSM and "drunk" are careful not to touch plain sheet. The 2 sheets are folded as if to be mailed. When drunk picks up joke again, he whips it up by its corner and puts it in his long open wallet or puts it in his hat that he should be wearing for that purpose. If the hat is used, "drunk" goes into the bathroom and carefully puts "joke" into his wallet. Drunk is always acting the fool. Drunk leaves.

FSMs

2) Drunk takes sheet with Lovely's prints to AG I being sure to get no prints on it.

Drunk FSM

3) Write the following letter on a library typewriter and address the envelope to Kissinger in Wash. DC on the same typewriter. (absolutely no PRINTS.)

3) cont.
You are a traitor to your people YOU BASTERD. I've been there and seen what you have done. You're ONE OF them. I"M GOINg To KILL you I"M going to BOMb YOU. I have connection.NObody Ca n touch Me. You arre a German Pig. You Should be in THe Concentration CAMPs. I Feel So Ill Because OF YOu And YOu GodDam PIGs. YoU Die SOOn. It IS a Phalic SYMbol. I ThinK TrAnsFeranCe. EPidus The BOMB Is S ET TO gO. MY Sister ISRE A L. ThEy Are Responsible . They Persecute Me I W iLL Kill THem AND YOU. YOU are All Aga inst ME.

The above letter should be typed onto the blank sheet obtained in #1.

AG I NY

4) Mail the above, from the Mail Box nearest Lovey's place.

AG I NY

[handwritten]
5) If the above 1 and 2 don't work out for any reason, Do the same action at T.M. with Lovely and TM FSM.

AG I NY

13.) Sending bomb threats and framing someone else for it. As mentioned above, the FBI discovered that Scientology's intelligence operatives had stolen Paulette Cooper's stationary (with her fingerprints on it), then typed bomb threats on that stationary, and sent them to Henry Kissinger and to Scientology itself. Scientology then called the FBI after receiving the bomb threat it had sent to itself and gave Paulett Cooper's name as a suspect.

The "Operation Freakout papers date from some years ago. Former Scientologist Valerie Stansfield addressed the question of whether Scientology had cleaned up its act, in a televised interview with the British Broadcasting Company (BBC) in the mid-1980s -- *after* the Guardian's Office had been replaced by the Office of Special Affairs. Her statement:

> "It's worse. I know this because people have come to me, continuously, and bring me the stories of the horrors they're going through, in present time, up to even a few weeks ago. The Church has a history of every time they're called to account they say `that was in the past, we've dismissed those people, we don't do that any more.' It could be called a catechism of the Church, `we don't do that any more.' *They do it. And more. They'll do it as much as they can get away with.*

Read the following pages and think about the intimidation and other influences which make it so very difficult to speak out. Is it still going on? Is there realistic cause for extraordinary diligence when dealing with Scientology? Examine the evidence and you be the judge.

[FROM THE WOLLERSHEIM CASE]

Standard police report
MILWAUKEE POLICE DEPARTMENT

District No. Seven

REPORT Saturday, July 28, 1984

In the matter of Possible Threats by a Religious Group

To Thomas E. Harker Captain of Police

Sir:

On Saturday, July 28, 1984 at 1:45 am, I was dispatched to meet a citizen at 3277 N. 96th St., for a threat complaint.

Upon arriving at the scent, I interviewed the complainant, Lawrence D. Wollersheim, w/m, 7-02-21 of 3277 N. 96th St., Ph. #462-1996. He is the owner of the Steak & Stein Restaurant at 5930 W. North Ave., Ph. #771-1990. On this date, Mr. Wollersheim related the following to me. He stated that his son Lawrence D. Wollersheim, w/m, 11-16-48, is currently living in Aspen, CO, Ph. #303-925-6356. His son had been a member of the Church of Scientology sect for 13 years. This religious group is based in Los Angeles, CA. His son is currently no longer associated with this group and is suing the sect for 25 million dollars. The law suit must come to trial by July 1985 in the California court system.

Since Mr. Wollersheim's son has filed this suit, he has been harassed and threatened by members of the Church of Scientology. He has been visited as recently as Wednesday, July 25, 1984 at which time they made threats against him, his family and the President of the United States. Mr. Wollersheim's son had been a high ranking member of the religious sect prior to his leaving. While in that high position he learned many of the inner dealings of the group. For this reason they are attempting to force Mr. Wollersheim's son to drop his suit. The religious order supposedly has its own security personnel to use such tactics as threats, intimidation and harassment in order to eliminate any outspokenness by members or former members of this sect.

Mr. Wollersheim Sr. stated that on Wednesday, July 14, 1984 a pipe with wires protruding from it was found lying on his front lawn. At that time the police were summoned and Squad 75, P.O. John Bogues responded. The bomb squad was notified and the device was determined to be a device made to be to look like a bomb. Mr. Wollersheim believes that this was a form of intimidation that he attributes to the religious sect. He states he has also received numerous harassing phone calls from unknown callers which he also attributes to the religious sect. Mr. Wollersheim stated that as the court date nears the harassment will increase. His son has told him that this is the usual practice of the religious sect's security forces.

Mr. Wollersheim requested that the squads in the area pay particular attention to his home for any suspicious persons. I advised Mr. Wollersheim to contact the telephone company for the purposes of having a tracing device placed on his telephone in order to learn who is making the harassing phone calls. I also advised him that the squads in the area would be notified to pay particular attention to his home.

Respectfully submitted,
(signed)
Gary R. Bruhn
Police Officer
District #7 - Late

["7th DISTRICT RECEIVED" stamp is signed (illegible) and dated JUL 28 1984.]

14) Confidential materials, disclosures, or confessions given to Scientology by members are routinely used to blackmail, silence, or intimidate that individual if that individual should leave Scientology and becomes critical of Scientology. From confidential internal directives and actual examples the FBI discovered that Scientology's intelligence operatives regularly use or make public confidential information and confessions of former members in an effort to silence them.

In my own personal experience, I had my "confidential" auditing confessions *used in court* by Scientology as well as material from them repeated to me in anonymous harassing phone calls. Scientology's twisted use of confidential disclosures made to them has also been further verified in ongoing court cases with other former members.

Anyone who is a member or former member os Scientology, who has ever given any information to Scientology, is at continual risk of having this information revealed. If you are a former member every effort should be made to obtain all your Scientology records and **all copies of them -- because Scientology has time and time again proven itself to be totally untrustworthy. If you know someone who is a member they should be made aware of this history and encouraged not to trust Scientology with any personal information or any supposedly confidential confessional material under any circumstances.**

Because of the way Scientology is "compartmentalized," lower-level personnel usually do not know the true motives and activities of the organization. Those who administer the hypnotic thought-control techniques normally are misled about what they are really doing. The following evidence comes from Scientology's (upper level) intelligence sections, not from their (lower level) pseudo religious sections.

[EVIDENCE FROM AUTHORIZED FBI SEARCH.]

To: .... illegible ... 13 Jan 77

cc: DGI US via DGI C

Excerption of Ira XXX PC files

Dear Cindy,

Here is the pertinent data from Ira's pc files. This includes data from TT done earlier and me going through about 1/2 of his lower level files which is at the end of this excerption.

First session. TA range 1.7 - 1.8: less than 1 div TA in the session. Ira wished to be a better "fuck" - "likes" Mike Lyles (MWH) This session was on 10 Dec 69..(Pg. 1,1)
14 Dec 69 - ARCX with Victor _____ who's antagonistic to Scn. M/W/H, had sex with a prostitute before marrying Holly. (Pg. 1,2)
19 Jan 70 - white form done (2ond one) SF on "here on own determinism". (Pg. 1-3)
20 Jan 70 - on R3R Ira runs an incident where he hit a man from behind with a car in 1968 or '67. (Pg. 1-4)
27 Jan 70 - M/W/H, Ira gives up that he attempted to strangle old girl-friend, Lynda. TA range 2.1 - 1.8. Total TA 1.2 divs. (Pg. 1-5)
6 Feb 70 - 3rd white form. SF on "here on own self determinism". (Pg. 2-1)
23 Feb 70 - Ira says he'd leave the SO if it came down to 2D vs 3D. TA range 2.5-1.9 Total TA: 1.1. (Pg. 2,2)
23 Mar 70 - MWH Ira gets off that he and a friend gave each other blow jobs when he was 11 or 12. Ira gets off that he, his wife Holly, and Mike Lyles had a 3 way thing going in Chicago with all of them in bed at the same time. (Pg. 3,1)
13 Apr 70 - 4th white form: Ira gets a fall on "here on own self determinism". (Pg. 3,2)
1 Oct 71 - MWH. Ira saw a lady psychiatrist when he was 20 - he gets off that he successfully W/H this on a sec check so he wouldn't get routed off staff. (Pg. 3,3)
10 Jan 72 - Ira claims that he has no service fac, he then F/Ns. Total TA for session was 2.2 divs. (p.4,1)
8 Aug 72 - List corrections get read on "doing s/t with mind between sessions". (Pg. 5,1)

9 Aug 72 - Exec Series 12 item "masturbating", mentions High School friend, David Schiff, as homosexual partner, used to masturbate 3 times a day, says "If Yvonne caught me masturbating, I would blow Scn", lived with Mike Lyles, Holly (his wife) and himself as trio. They all slept together and took turns with Holly, some activity between Ira and Mike. (Pg. 5,2)....

8119.

[EVIDENCE FROM AUTHORIZED FBI SEARCH.]

GUARDIAN ORDER

GO 121669 MSH December 16, 1969
To: All D/A/Guardians for Intelligence

PROGRAMME: INTELLIGENCE: INTERNAL SECURITY

OBSERVATION: The enemy has used the method of infiltration to obtain information against ourselves as known from incidences in South Africa, Edinburgh and Washington, D.C.

The enemy has also "turned" and used as double agents Staff members as revealed by Maurice Johnson at Saint Hill and Barbara Peake in Melbourne.

Further, the enemy has used former disaffected staff members, Scientologists Or relatives of Scientologists in their attacks - Philip Wearne and Doug Moon in Australia, Jean Kennedy and Gene van Niekerk in South Africa, Michael Pernetta and Mrs. Henslow in England, Eleanor Turner and the former Mrs. Elmo Troup in America and the O'Donnell family in New Zealand, to name but a few of the outstanding examples.

Although infiltrators and double agents can create more internal Chaos and disorder in an organization, the enemy has been most successful in their attacks through the use of disaffected staff, Scientologists or relatives of Scientologists and the biggest gross error an organization can make as regards its own security is violations of the HCO Policy Letter of October 27, 1964, "Policies on Physical Healing, Insanity and Potential Trouble Sources".

The duty of keeping the organization secure belongs in the HCO Division, both in RAP and Inspections and Reports, but the Intelligence Bureau has learned through long experience that it cannot leave this function entirely up to HCO and where it has done so, it has had to suffer the consequences. Thus this Programme is a vital one.

MAJOR TARGET: To use any and all means to detect any infiltration, double agent or disaffected staff member, Scientologist or relatives Of Scientologists and by any and all means to render null any potential threat or harm such have rendered or might render to Scientology and Scientologists.

VITAL TARGETS:

1. This Programme is to be done by the Asst. Guardian or the D/A/Guardian for Intelligence, if this post is held separately.
2. To establish Intelligence files on all such persons found to be infiltrators, double agents, and disaffected staff members, Scientologists and relatives of Scientologists.

OPERATING TARGETS:

1. **To make full use of all files on the organization to effect your major target. These include personnel files, Ethics files, Dead files, Central files, training files, processing files and requests for refunds.** (emphasis added)
2. To assemble full data by investigation of each person located for possible use in case of attack or for use in preventing any attack and to keep files of such.

3. To be alert to usual security precautions and to see that these are performed by the organization; such as proper locking of the premises, security of keys, locking Of files, the changing Of locks if keys have been lost, proper safes, etc.
4. To keep off staff and off org lines any person who has ever betrayed Scientology or who has threatened to betray or blackmail Scientology.
5. To ensure the Policy Letter on Physical Healing, Insanity and Potential Trouble Sources is not violated and to be alert to any possible violations.
6. To maintain a good liason line to Ethics and ensure that the Ethics Officer alerts you to any person who might attack Scientology.
7. To be alert to any organizational theft or disappearances of records and files as a possible indication of the presence of an infiltrator or double agent. Infiltrators are frequently those who have recently "joined" Scientology and so can be watched. Double agents are usually detected by natter, down stats, disorder in their areas and no case gain.
8. To be effective and imaginative in your collection of data and in your actions to nullify any attack or threat of attack.
9. To keep your Asst. Guardian fully advised and the D/Guardian for Intelligence WW, who will inform the Guardian WW in such matters.

PRODUCTION TARGET: This is a continuing Programme on which Projects will be issued from time to time.

Mary Sue Hubbard
CS-G

15) Infiltrate the court system to alter and steal documents and files before, during or after court rulings. Any individual or attorney who goes into court with Scientology must never assume that any evidence you have submitted has not been stolen or tampered with. *Check every copy against its original.* Any document Scientology submits must be examined carefully for authenticity. It could be what they call a "history rewrite" or a manufactured document.

There is a "coincidence" that occurred during Wollersheim's 6-month trial which helps make this point more clear. It has the attempted precedent-limiting intelligence signature of creating and rewriting "history" all over it.

During one lunch break in the emptied courtroom, while the evidence exhibits were apparently not being guarded, someone altered Dr. Margaret Singer's notes on her interviews with Wollersheim to read that I had taken 300 LSD trips before entering Scientology. (Dr. Singer was the expert psychologist testifying on my behalf.) The document was remembered to not have this on it when it was entered into evidence. When Dr. Singer verified by phone that no such event occurred and that she never wrote such a statement in her notes, this incident created a flurry in the courtroom.

Out of court, things are not much different. Never assume their lawyers will send you the same documents they submit to the courts and never assume Scientology's lawyers will notify you at all when they initiate some action. Always keep checking the court docket yourself on a regular basis.

16) Possible Scientology involvement in conspiracies to commit murder or commit assaults.

An informant, in a sworn statement given under oath, told of a plan to harm or kill Cynthia Kisser, Executive Director of the Cult Awareness Network. Reportedly one suggested method was to cut the brake lines in her car. Attempts were made to menace a Catholic priest, Father Kent Burtner, who is also a supporter of CAN.

Michael Flynn the Boston attorney who represented ex-scientologists against Scientology had to make an emergency landing in his plane. It was later discovered that there was water in his fuel.

Charles O'Reilly, Wollersheim's attorney, was mysteriously pistol whipped by an unknown assailant the night before he had to argued the Wollersheim appeal at the California Appellate court. Even more coincidentally, on that very same night, drug paraphernalia was planted in O'Rielly's home.-- conveniently fitting in with Scientology's false black PR drug abuse campaign against O'Rielly

The appendix "Scientology's History of Criminality" contains an affidavit by former Scientology insider Steven Fishman in which he describes a conspiracy to commit the murder of Lawrence Wollersheim. A second affidavit regarding another conspiracy has been recently received from another source.

SWORN STATEMENT

I, Malcolm ClaudeNothling, the undersigned, hereby state the following under oath:

1.) I am a Caucasian male 38 years of age, born on 31/08/54.

2.) I was a dedicated member of The Church of Scientology from 1979-1986.

3.) I served in the Special Forces in the South African Defense Force. During this period I became highly skilled in handling firearms. This information was known by senior members of the Church of Scientology in South Africa.

4.) In May 1986 I was requested to take up an administrative position at the Church of Scientology's headquarters in Los Angeles.

5.) I arrived in Los Angeles on 6th Jun. 1986 expecting to take up an administrative post that urgently needed to be filled. A week after arriving I was seconded to assist with demonstrations outside the Los Angeles Supreme Court in which he case between Lawrence Wollersheim and the Church of Scientology was being heard.

6.) I was also promised by the Church of Scientology, on arrival in Los Angeles, that they would attend to some of my previous counseling that had gone horribly wrong. I was experiencing suicidal feelings and feelings of anger and destruction. It required a tremendous effort on my behalf to restrain myself. I had previously submitted a report to the Religious Technology Center of my condition.

During June/July 1986 I was approached by two Scientologists from the San Francisco area, specifically Concorde. Unfortunately I cannot recall their names but one of them had a sign writing business in that area. They proposed that I should assassinate Larry Wollersheim. They would organize the weapon and whatever else I needed to accomplish this task. I cannot say with any accuracy whether or not they had been instructed to organize this from a higher level within the organization. However, I now find it disturbing that Scientologists, myself included at the time, can consider this method of resolving what they *consider to be a problem. In fact I blame the policy within the Church of Scientology known as the "Simon Bolivar" which encourages these acts against supposed enemies. At the time I seriously considered committing this crime but believed that I was going to be used as the "fall guy" because it would have been easy thereafter to show that I was demonstrating and stating that I found myself in an unstable condition. When I declined I fell out of favor with the Church of Scientology and was expelled without a hearing and on trumped up charges for which I am currently suing the Church of Scientology.*

8.) The above is true and I am willing to submit to a polygraph test or any other method to establish the integrity of my statement.

(His signature and notary signature appears here.)

A high level Scientology intelligence director, who has since defected, told me about a favorite technique of Scientology's intelligence people. They set up one of their own expendable people, make them look crazy (incriminating affidavits etc.) then disavow them and let them act out the original covert operation plan, perhaps in desperate hopes of regaining favor with the group. But now, because the person was kicked out by the group, Scientology has a pausable story, that the "disavowed" individual was a renegade acting on his own.

In this case, I believe Malcolm was this expendable person but didn't realize that he was being set up until later. It is not at all out of character that Scientology went to him through nebulous third parties for the assassination. They have detailed personnel records (sequential job histories and skills) on everyone that comes into the organization. They knew Malcolm had the Special Forces skills to pull this off. They fed the info to outside operatives to blur the direct connection to them, and had those operatives try to set up Malcolm to do the job after they had set up their alibi on Malcolm.

DETAIL - PART TWO

DOCUMENTATION OF SCIENTOLOGY'S ADVERSARIAL TACTICS

SCIENTOLOGY AND ITS NEW PRACTICE OF "LEGAL" BRUTALITY

"Legal" brutality is the deliberate orchestration of numerous different actions designed to make execution of the justice process impossible. They are tactics designed to punish, obstruct, delay, intimidate, stop the proceedings, or to deliberately create a mistrial.

These tactics are used when Scientology is reasonably certain they are going to lose the case and especially when they want to prevent an adverse precedent from being established. These are the tactics of losers and spoilers.

Scientology's main defense, besides its asserted First Amendment religious immunity defense, is to rely on pounding its adversaries into inaction or flight by wearing or breaking them down -- to overwhelm and introvert them through complexity and confusion. One hundred suits have been filed against the IRS alone. In early 1993, more than thirty were pending against the Cult Awareness Network and individually against certain of its personnel.

This overwhelm, confuse, and introvert tactic also shows up *in the courtroom* where Scientology uses three, four, sometimes as many as seven different criminal lawyers[27] from different firms to simultaneously hammer, intimidate, and bully the judge, jury, witnesses, court staff, security people and prosecutors. They use near-continuous objections, gallery interruptions, and other miscellaneous non-procedural efforts, often to set up their own grounds for mistrial or appeal.

Their attorneys and their in-courtroom gallery operatives deliberately create an atmosphere of intimidation and fear. Everything and anything is done to increase their opponent's expenses and to delay and obscure the proceedings.[28]

This Scientology-style "legal brutality" is not a search for justice but reminds one more of the strategies of coercive persuasion used to break down of prisoners of war by constant psychological coercion, intimidation, and stressful interrogation by multiple interrogators. It is a primitive, brutal, and almost primal effort to establish pure dominance over the justice system. And it is exercised upon the personnel of the justice system itself.

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[27] It is somewhat unusual for a church to regularly use teams of *criminal* rather than civil attorneys in its litigation and on a regular retainer basis. Yet this is Scientology's practice..

[28] I believe that if the Armstrong case is successfully sealed it will do much to impede and confuse both ongoing and future civil litigation, including the I.R.S.'s ongoing litigation with Scientology regarding Scientology's financial fraud. Next to the evidence disclosures of the F.B.I.'s authorized search of Scientology's headquarters, the hard won information disclosed in the Armstrong cases simply is the most important and reliable clarifying hub of information ever revealed about Scientology and Scientology's founder and alter ego, L Ron Hubbard.

An additional part of the design of this "legal brutality" is to punish anyone involved for ever daring to sit in judgment of Scientology. It seems that Scientology is willing to sacrifice even the possibility of rebuilding its completely destroyed reputation, preferring to try to become a notorious legend in hopes of dissuading future litigants and lawyers *from even thinking about* using the justice system against them.

"The Lotticks lost their son, Noah, who jumped from a Manhattan hotel clutching $171, virtually the only money he had not yet turned over to Scientology. His parents blame the Church and would like to sue but are frightened by the organization's reputation for ruthlessness." From the May 6, 1991 Time magazine article.

Now add to Scientology's already formidable anti-adversary reputation, the fact that Scientology hires *criminal* defense attorneys for its *civil* cases and spends an estimated $20 million a year for 100 attorneys.[29]

This estimate for Scientology's total annual legal expenditures still may be grossly underestimated. Consider the expense of covert operations by intelligence operatives, additional hired private investigators, their unprecedented public relations expenses (used to patch up their most embarrassing legal problems [30]), plus the thousands of world-wide staff working full-time or volunteering part time in the legal, intelligence, and public relations areas. Scientology's real legal expenses may run as high as $70 to $100 million a year. *But this can be justified as a reasonable cost of "business as usual" to protect $200-$500 million a year in exceedingly high-profit, often tax free gross income.*

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[29] In the almost 11 years trying this case, Wollersheim's former attorneys have spent almost $700,000 in out-of-pocket expenses. Wollersheim personally, spent another $400,000, not including attorneys fees. Of the combined total, approximately 50% was for security-related expenses.

[30] When the *LA Times* ran a scathing six part article exposing Scientology's illegal and other antisocial activities, Scientology spent over $1 *million* for billboards all over LA, misquoting the article to make it appear to the uninformed that the *Times* was in some way endorsing Scientology. After the May 6, 1991 cover issue on Scientology by *Time* magazine, Scientology purchased an estimated unprecedented $3 million of full page ads in the major U.S. magazines and newspapers, in another desperate attempt at damage control.

Our detailed documentation of Scientology's adversarial tactics now continues. The following will demonstrate the *methods* by which Scientology puts the justice system and the justice process in turmoil and peril by pioneering its new practice of "legal brutality."

17) Swearing out false lawsuits to intimidate, harass, stop, and discredit a critic or enemy.

18) Repeated use of frivolous and expensive lawsuits to deter individuals and the media from stating anything hostile about Scientology, whether factual or not.

19) "Bludgeoning" opposing witnesses

20) Repeated ignoring of court orders and authority.

21) Attacking judges to stop or slow the case from proceeding.

22) Outrageous conduct which may have the effect of creating their own mistrial.

23) EXTENSIVE SUPPRESSION OF CRITICAL INFORMATION.

24) Filing meritless complaint with legal medical and other professional ethics boards.

25) Possibly seeking to obtain favorable precedents by creating dummy cases where in fact Scientology is the hidden controller and financier of both the plaintiff and defendant positions.

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17) Swearing out false lawsuits to intimidate, harass, stop, and discredit a critic or enemy. The FBI discovered that Scientology's intelligence operatives tried to discredit Gene Allard, a former high ranking member who had become a government witness on Scientology's financial fraud, by filing a lawsuit that falsely claimed he had stolen $27,000 from Scientology.

Scientology routinely swears out false charges, knowing there is no real penalty in the American legal system for doing so. Recently they went to the Glendale California police and made a groundless kidnapping complaint Pricilla Coates, the Director of an LA cult education group.

18). Repeated use of frivolous and expensive lawsuits to deter individuals and the media from stating anything hostile about Scientology, whether factual or not.[31]) To bury the party suing Scientology in expenses and break their financial ability to pursue justice, Scientology foods the dockets with motions, sues those who sue it in multiple jurisdictions, and sues the plaintiff's lawyers. Scientology has files over 100 lawsuits on the IRS, (one of them a 120 million dollar suit.) Boston personal injury lawyer Michael Flynn, who at one time represented more than two dozen plaintiffs against the church, was sued by the church more than a dozen times in four jurisdictions for everything from contempt to defamation. All the suits were eventually dropped or dismissed.

A recently discovered operation called "Plan 100" calls for 100 lawsuits to be filed on one of its bitter enemies the Cult Awareness Network.

In 1992, the church mounted an all out war against the Cult Awareness Network. According to the CAN Executive Director Cynthia Kisser, there are nine suits pending against CAN by individual Scientologists and church entities in five different jurisdictions, with charges ranging from discrimination----alleging that CAN'S refusal to admit Scientologists to join as members constitutes religious descrimination---to fraud and deceit. [In 1993, the number of these suits has increased into the dozens.] "They are trying to bankrupt CAN," claims one lawyer involved in the litigation. "Its as simple as that."

All of Wollersheim's key lawyers were sued by Scientology in a RICO (Racketeering Influenced and Corrupt Organization Act) suit. After 12 years and hundreds of thousands of dollars in cost, it was dismissed in July 1992. In 1993, just months after losing the RICO suit, Scientology filed a new harassment "try to break them financially suit," Scientology V. Wollersheim. No. C 332 027.

Peter Georgiades who has represented several clients suing Scientology was sued recently for defamation. One suit was dismissed for lack of jurisdiction and another was filed later in another jurisdiction which is still pending. Scientology also filed a $416 million dollar libel suit against *Time* for its recent article on Scientology.

Time's attorney stated, "Our second ground (for dismissal) is that Scientology is libel proof," says Abrams:

> "The church has so often been held to commit evil and despicable acts by courts and so often been written about in an extremely critical manner by others that it has no reputation for libel laws to defend or rehabilitate."[32]

19) "Bludgeoning" opposing witnesses Scientology is notorious for using the courtroom stand to continue to punish former members brave enough to speak out. In the Wollersheim trial, Cooley

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[31] 5. In a document seized by the F.B.I. in its authorized search of Scientology's headquarters, there is a blunt discussion of how frivolous lawsuits can be used to drive publishers into submission. Jane Kember, at that time the second highest ranking member of Scientology's intelligence section, states that since in the U.S. a person who looses a lawsuit is not required to pay the opponents' costs, frivolous suits are an effective means of imposing unbearable financial burdens *on publishers.*

[32] From The *American Lawyer* article, "The Two Faces of Scientology," by William Horne, July\August 1992.

(their attorney) kept Wollersheim on the stand for two weeks and used confidential auditing confessional material for this purpose.

> "At the [Wollersheim] trial Scientologists packed the courtroom and hallways of the courthouse and regularly interrupted the proceedings by protesting against alleged religious discrimination. "I'd let the jury out, let the [protesters] blab on, and then let the jury back in," says Swearinger. "It didn't bother me." Swearinger says he thought Cooley's histrionics were "comical" rather than effective, and that he often caught the jury, "rolling their eyes" at Cooley's " loud talk and hostility to opposing counsel and witnesses." [33]

20) Repeated ignoring of court orders and authority. For example, "On April 17 of this year {1992} Cooley, church general counsel William Drescher, and Bowles and Moxon named partner Kendrick Moxon, were among a team of church lawyers soundly rebuked in a federal court ruling for their willingness to:

"literally flout court orders and defy the authority of the courts." In his opinion, Los Angeles Federal Special master [judge] James Kolts called the church's tactics a: "cynical and unfair use of the judicial system." [34]

According to a transcript of the hearing, despite having been admonished not to raise issues covered in the briefs---which included the *Time* cover---Cooley jumped right in. "I'd like to address that *Time* magazine article, Your Honor, because I think its crucial," he told judge Letts. The judge disagreed, but that apparently did not deter Cooley. When Cooley continued to bellow over the ringing of the judges gavel, Letts summoned the marshals. According to the opposing lawyer, Cooley scurried out of the courtroom moments before two marshals arrived."[35]

After the court had ordered Wollersheim's files while in Scientology produced for the trial, Scientology destroyed all incriminating sections and altered whatever else it thought it could slide by.

Scientology takes the attitude that it is above the law. The only way to get them to abide by it in substantial issues is to catch them violating it and FORCE them *all the way* to do what is required of them. **This is part of the "legal" brutality philosophy that makes bringing them to justice so difficult and expensive.**

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[33] From *The American Lawyer* article, "The Two Faces of Scientology," by William Horne, July\August 1992.

[34] From *The American Lawyer* article, "The Two Faces of Scientology," by William Horne, July\August 1992.

[35] From *The American Lawyer* article, "The Two Faces of Scientology," by William Horne, July\August 1992.

21) Attacking judges to stop or slow the case from proceeding. In addition to what has been said earlier:

> "California Superior court judge Ronald Swearinger, who presided over the Wollersheim trial, describes the case itself as anything but normal: Church trial layer Earl Cooley and his co-counsel the late John Peterson filed a number of unsuccessful "writs and motions" throughout the trial in an attempt to halt it, according to Judge Swearinger. Three days into the trial the judge says they moved for his disqualification based on, "some secret conversation I had with someone I never heard of." They also filed a section 1983 federal civil rights action against both him and the judge who sat on the case prior to him, says Swearinger, on the theory that by allowing the case to go to trial, the judges were denying the church its civil rights."[36]

This statement, as carefully documented in the previously-mentioned appendices, shows Scientology attacking judges on anything and everything Scientology can invent. The record shows that this is standard policy and procedure for Scientology in and out of the courtroom. Scientology's history in civil and criminal trials, detailed in the appendices, provides an overwhelming preponderance of evidence to the truth of this statement.

In addition to the numerous examples of Scientology's continuous attack strategy against judges, described in the two previously mentioned articles and in the included appendices, will be found the relentless ongoing pattern of attacking every judge on *bias*. This can be seen happening again in yet another, more recent, example.

> "Just last fall Cooley was brought in to argue the church's motion to recluse Los Angeles Federal Judge James Ideman who was sitting on three cases involving Scientology, based on the judges supposed bias toward the church... The church lost the reclusal motion and eventually appealed the decision up to the U.S. Supreme Court, which declined to grant certiorari."[37]

For more details on Scientology's outrageous history of attacks on judges, see the two newspaper articles "Prior Sect Try at Judge Reported" and "Scientology's War Against Judges" at the end of this appendix.

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[36] From *The American Lawyer article, "The Two Faces of Scientology," by William Horne, July\August 1992. More information will be presented on Scientology's 40-year history of attacks on judges.*

[37] From The American Lawyer article, "The Two Faces of Scientology," by William Horne, July\August 1992.

22) Do everything possible to create their own mistrial. Scientology creates an atmosphere of fear and bizareness in an attempt to create obvious bias against themselves.

As a deliberate fall-back position, for appeal if they lose, Scientology attempts to create grounds for its own mistrial. They commit outrageous and unsociable acts in the courtroom to create an impression of bias or prejudice. These courtroom antics are socially repugnant, often personally threatening, and may naturally make people feel wary and alienated. *But that is not prejudice.* Scientology's tactics mean that any judge presidiing over a Scientology action will be facing a difficult legal and personal situation.

Affidavits and trial records should be thoroughly reviewed from the former criminal and civil judges, prosecutors, and opposing attorneys who have had the unique first-hand experience of trying to apply justice in a court of law to Scientology. From these records, and review of the Wollersheim trial record, this court will quickly get a clear perspective of Scientology's many mistrial prompting tactics.

23) EXTENSIVE SUPPRESSION OF CRITICAL INFORMATION. Where "freedom of information" is concerned, or the rights of a free press, Scientology is at war with the outside world. We have already discussed intimidation, harrassment, and other methods to silence critics. In addition, Scientology has attempted to use *federal trade secret laws* designed for business applications, to try to prevent anyone from exposing information critical of Scientology. • This is done by:

A.) Attempting to establish new interpretations of copyright laws to suppress factual information hostile to Scientology. This was seen in the recent "Hubbard biography" copyright precedent.[39] Scientology's novel interpretation posed a serious threat to the publishing industry's free press right to present important biographical facts on Hubbard that the public has a right to know, or needs for its protection. *After considerable expense this precedent has now been reversed.*

B.) Attempting to, or successfully sealing court cases and records during or after litigation. Often this is done by extorting a "gag order" from a litigant bludgeoned into submission. But in other cases Scientology actually has obtained the court's agreement to seal the records -- for example, in Church of Scientology v. Armstrong No.C. 420153 Cal. Super. CT.(1984). The information contained in the Armstrong case *clearly showed the actual intentions, motivations, and nature of L Ron Hubbard* the founder of Scientology.

Documents in the Armstrong case also evidenced the actual origins and nature of Hubbard's created alter ego, Scientology and Dianetics. They show a massive, critical, and fundamental contradiction between the reality, on the one hand, and, on the other, Scientology's propaganda (which is discussed in another section of

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[38] See Religious Technology Center v. Robin Scott. (The appeals Court has since ruled there is no such thing as trade secrets for religion.)

[39] New Era Publications, an affiliate of the Church of Scientology, sued publisher Henry Holt & Co. to prevent publication of "Bare Faced Messiah," a biography of L. Ron Hubbard the Scientology founder. The book's author, Russell M. Miller, had quoted 132 pages from unpublished letters and documents, many obtained from government agencies under the Freedom of Information Act.

this Appendix).

The Armstrong documents represent the unifying "hub of the wheel" for all previous taxpayer-paid and other worldwide disclosures concerning Scientology. Of itself, **the Armstrong case is the single most critical piece of the Scientology puzzle that ever has become available, and Scientology --for good reason -- fears its broad dissemination!**

Scientology's continuous efforts to seal the Armstrong public record underscores its importance. Former members have commented that if, when they were evaluating Scientology's actual intentions and statistics using Scientology's own "doubt" formula, if they could have seen all these Hubbard archival documents, no matter how long they had been a loyal Scientology member, *they would have abandoned the organization as a complete sham.* [40]

C.) Attempting to use copyright laws AND unreasonable search and seizure to inhibit its adversaries and suppress archival material on Scientology.[41]

D.) Restricting evidence access. Scientology lawyers have been temporarily successful in restricting freedom of information requests for access to the thousands of documents seized from church headquarters in an authorized search by the FBI. Because of Scientology's use of a special language, Scientologese, and special security encoding much of this seized FBI information may still need translation, coordination, or distribution to the victims for possible legal actions. At the least, these restricted documents are useful and vital to educators and the media for understanding the REAL Scientology.

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[40] On December 23, 1991 Scientology suffered another in a chain of growing legal defeats. Armstrong was successful it getting the California Appellate court to keep these documents unsealed. Much of the materials herein were presented to that court before its decision.

[41] On October 3, 1990 Scientology allegedly arranged an entrapment operation on an uninvolved, former member (Bostrom) who had a collection of archival materials on Scientology. Two marshals and approximately 15-20 Scientologists showed up with a search warrant. They all then began an unreasonable search and seizure of legitimately acquired Scientology materials from Mr. Bostrom's home. The warrant was issued because several days earlier, Mr. Bostrom allegedly had sold one of his old copyrighted Scientology training packs to a Scientology "sting" operative for approximately $100 dollars.

Access has been restricted to these highly damaging documents, in part, by the requirement that Scientology be informed, in the approval process, of the identity of anyone making such requests. **The potential danger of such prior notice to Scientology is apparent from seized FBI documents.**

E.) Stealing books and materials from public agencies. The Nazi's *burned* books. Scientology uses its operatives to *steal* books and materials critical of it from public libraries. I was directly in touch with one of the operatives involved in thefts from the LA library system. Former Scientologists Robert Dardano and Warren Friske have testified to the systematic theft and destruction of books critical of Scientology from libraries throughout New England.

Scientology keeps much critical information, such as that revealed in the Armstrong case, among those highest inner few who have passed extensive security and loyalty tests. Because sensitive or critical information is withheld, or given on a strict "need to know" basis, *the vast majority of lower level Scientologists are generally ignorant of the contents of these materials and the real activity of Scientology*. Celebrities such as Tom Cruise, John Travolta, Kirste Alley and others, who have endorsed and are publicly promoting Scientology are, unfortunately, the most isolated and least informed regarding the crucial evaluative information on Scientology presented in these materials.

The record documented herein shows conclusively that, while Scientology hypocritically sells "Communication Courses" and sponsors "freedom of information" attacks on its adversaries, [42] **IT ACTUALLY DOES NOT AND CAN NOT TOLERATE open ommunication or free speech.**

By hiding its crimes and contining abuses, Scientology is trying to avoid just and necessary social awareness and censure. If Scientology is allowed to continue to effectively use these various sealing tactics AND its other adversarial tactics *no one will be informed enough to make rational decisions about Scientology.* [43]

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[42] Most recently, Scientology has sponsored the "Whistle Blower" program against the I.R.S.

[43] This document is an effort to see that never happens.

24) Filing meritless complaint with legal medical and other professional ethics boards. "Plaintiffs attorney Charles O'Rielly claims he became a target for retaliation after he won a 30 million dollar jury verdict against the church on behalf of former Scientologist Larry Woliersheim... O'Reilly contends that, in the years following the verdict, he was questioned by the California State bar for substance abuse (the inquiry was eventually dropped), by the IRS (the investigation is ongoing), and by the state tax franchise board (no charges were ever brought).

In addition, the church wrote nine letters of complaint to the Massachusetts Board of Bar Overseers about (Michael) Flynn, alleging unethical conduct. Cooley insists that at least one complaint against Flynn was justified. "Flynn had a corporation called FAMCO in which shares were sold to lawyers throughout the country to participate in a nationwide program of civil litigation against the church!" According to a spokesperson for the Massachusetts Board of Bar Overseers, Flynn has never been the subject of a disciplinary action.[44]

Dr. John Clark, an American psychiatrist and outspoken critic of Scientology, also incurred the Church's wrath. According to the Latey decision:

> "Beginning in 1977 the Church of Scientology has conducted a campaign of persecution against Dr. Clark. They wrote letters to the Dean at the Harvard Medical School and to the director of the Massachusetts General Hospital. They refused to gag him. Scientology agents tracked down and telephoned several of his patients and interviewed his neighbors looking for evidence to impugn his private or personal actions. They submitted a critical report to a Committee of the Massachusetts State Senate. On three occasions during the last five years a Scientology "front" called the Citizens' Commission on Human Rights has brought complaints against him to the Massachusetts Board of Registration alleging improper professional conduct. In 1980 he was declared a "Number One Enemy" and in 1981 they brought two law suits against him (summarily dismissed, but costly and worrying). They distributed leaflets at the Massachusetts General Hospital offering a $25,000 reward to employees for evidence which would lead to his conviction on any charge of criminal activity. They stole his employment record from another Boston hospital. They convened press conferences calculated to ruin his professional reputation."

Those voices that have warned of the Scientology danger have had to pay a heavy price. Adjunct Professor of Psychology Margaret Thaler Singer at UC Berkeley, Professors of Psychiatry Louis J. West at UCLA, John G. Clark of Harvard, Martin J. Orne at University of Pennsylvania, Professor of Law Richard DelGado of the UW Madison, and Professors of Sociology, Richard Ofshe at UC Berkeley, and Ronald Enroth of Westmont College, *all have been the targets of both professional and personal attacks*. Distortions of truth and outright lies have included charges that they are CIA operatives, associated with Nazi's, anti religious or the like.

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[44] From *The American Lawyer* article, "The Two Faces of Scientology," by William Horne, July\August 1992.

Those who continue to speak out become targets of sophisticated intelligence programs to silence them. Expensive lawsuits are filed. Spurious complaints are filed against the victim's lawyers with state Bar associations. Manufactured complaints are frequently registered with medical licensing boards or other regulatory agencies against the professionals who dare testify for the victims. These harassment programs seek to "win" only in the sense that, by silencing those who know, Scientology can continue to exploit new ignorant and naive victims.

When lawsuits do enter the court system, they are usually settled out of court before any unfavorable verdict is reached. Then, as part of the settlement agreement to forestall public attention the case is sealed.

25.) Possibly creating dummy cases where in fact Scientology is the hidden controller and financier of both the plaintiff and defendant positions. There is a suspicion that Scientology has entered into a new level of covert operations on the justice system: the **artificial manufacture of desired precedents by "dummy" cases staged just for that purpose.**

The justice system has not yet come to grips with "undue influence" in the sophisticated and powerful guise used by "thought reform" cults (not just Scientology). Possibly in collusion with other groups with similar interests (those using thought reform techniques[45]) Scientology seeks to create precedents which will say, in effect, "thought reform doesn't exist."

In these suspected dummy cases, the ruse may include sponsoring false scientific studies and using pre-rehearsed members who have the perfect symptoms and answers to produce the legal result that will set a new precedent or mitigate an old precedent. The effect would be to "prove" that thought reform doesn't exist or that their members show none of its effects.

Recently there has been a dis-information campaign to misrepresent the current scientific literature, discredit existing experts, and seal disclosures about thought reform technologies used in groups like Scientology. Within both the American Psychological Association and the American Sociological Association, campaigns have been launched, in effect asking that this technology be declared nonexistent.

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[45] Four recent cases, all involving a thought reform focus and well organized and financed "religious" organizations, have recently come before the U.S. Supreme Court: Robin George v. International Society of Krishna Consciousness U.S. 89-1399, Holy Spirit Association for Unification of World Christianity [the Moonies] v. David Molko and Tracy Leal U.S. 88-1600, see in particular Brief in opposition to Writ of Certiorari, Church Universal and Triumphant Inc. v. Linda Witt U.S. 89-672, Wollersheim v. Church of Scientology of California U.S. 89-1367. Of the four, the case that has been suspect is Unification of World Christianity [the Moonies] v. David Molko and Tracy Leal U.S. 88-1600. Also see "Coercive Persuasion and Scientology" for more details.

One case that has been highly suspicious in this area is the Holy Spirit Association for Unification of World Christianity [the Moonies][46] v. David Molko and Tracy Leal U.S. 88-1600. When you are involved in a suit with Scientology and its allies, it is necessary to be aware of any other suits that seem to just conveniently "pop up" on issues similar to yours, *especially if they seem perfectly tailored to effect your suit adversely*. While prosecuting the Wollersheim case, on more than one occasion we have had to deal with this phenomena of highly suspicious outside cases, seeming engineered to derail the Wollersheim case and all others that might follow it.

In Summary, Scientology's "Legal Brutality" tactics add a new low to the familiar legal saying, "If you have a good case, you argue the facts. If the facts don't suit you, you argue the law. If you don't have the law on your side, confuse the issues." With "legal" brutality tactics, you don't just confuse the issues. Your target is to actually break down the justice process anywhere and everywhere you can.

When applied as a single tactic (as done by some individuals in the past) the tactic may be considered borderline legal or borderline unethical. When many of these tactics are orchestrated together in a systematic manner, they create a new, previously unheard of threat[47] to the justices process and to its spirit. They put the integrity of the justice process in peril.

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[46] In U.S. Senate hearings the Moonies were connected to individuals and activities of the Korean CIA.

[47] No one previously has pioneered the intensity and depth or the collective application of the practice of "legal brutality" like Scientology. If they are allowed to be successful you can rely on their state of the art "legal brutality" practices being quickly imitiated by others seeking to exploit what could be a gaping loophole or partial flaw in the justice system.

DETAIL - PART THREE
DOCUMENTATION OF SCIENTOLOGY'S ADVERSARIAL TACTICS

OVERT OPERATIONS

26) Bold faced direct lying,

27) Professional propaganda campaigns.

28) Setting up and using "social reform" groups whose real purpose is to defend Scientology and attack its enemies.

29) Using a front law firm as a de facto extension of Scientology's intelligence division and intimidation intelligence strategy.

30) Deliberately recruiting and using "do anything to get the fee" private investigators.

31) Possibly buying political influence.

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26.) Bold faced direct lying, Scientology training has raised lying to a precisely practiced art form, as is shown in the following exhibits....

[EVIDENCE FROM AUTHORIZED FBI SEARCH.]

INTELLIGENCE SPECIALIST TRAINING ROUTINE - TR L

Purpose: To train the student to give a false statement with good TR-1. To train the student to outflow false data effectively.

Position: Same as TR-1

Commands: Part 1 "Tell me a lie". Command given by coach. Part 2 interview type 2 WC by coach.

Training Stress: In Part 1 coach gives command, student originates a falsehood. Coach flunks for out TR 1 or TR 0. In Part 2 coach asks questions of the student on his background or a subject. Student gives untrue data of a plausible sort that the student backs up with further explanatory data upon the coach's further questions. The coach flunks for out TR 0 and TR 1, and for student fumbling on question answers. The student should be coached on a gradient until he/she can lie facily.

Short example:

Coach: Where do you come from?
Student: I come from the Housewives Committee on Drug Abuse.
Coach: But you said earlier that you were single.
Student: Well, actually I was married but am divorced. I have 2 kids in the suburbs where I am a housewife, in fact I'm a member of the P.T.A.
Coach: What town is it that you live in?
Student: West Brighton
Coach: But there is no public school in West Brighton.
Student: I know. I send my children to school in Brighton, and that's where I'm a P.T.A. member.
Coach: Oh, and who is the Chairman there?
etc.

[EVIDENCE FROM AUTHORIZED FBI SEARCH.]

BOARD TECHNICAL BULLETIN
OF 10 DECEMBER 1969
REISSUED AS BTB 21 JUNE 1975
CANCELS
HCO Bulletin of 10 DECEMBER 1969
SAME TITLE

PRO COURSES
Not for distribution

CONFIDENTIAL

REPORTER TRS

1. Answering non loaded questions

Purpose: To train a PRO to answer such question with confidence and simplicity as are often asked by reporters. E.G.., What is Scientology? What's Clear, OT? How does an E-Meter work?

Method: The PRO and 'reporter' sit across a table facing each other. The 'reporter' asks the questions and the PRO must answer, without a long communication lag and in a way which readily communicates to the reporter. The drill is coached as in the TRs.

The drill is passed when the PRO is confident he can answer the basic questions asked about Scientology.

2. No Answer

Purpose: To train a PRO to give a 'no answer' to questions he has no wish to answer directly.

Method: To begin with the reporter reading the questions asked LRH by 'The Sun' reporter Victor Chapple -- and the PRO reads LRH's answers. This is just to accustom him to the idea of 'no answer'.

Then using different questions, the PRO gives 'no answers'. The trick is to appear to answer the question by giving generalized statements in simple terms so that the reporter doesn't realize that his question hasn't been answered.

The PRO should be completely causative over the communication and end it with certainty, so that the reporter gets this and goes on to the next question.

3. Non sequitur events

Purpose: To enable a PRO to practice getting his "message" across and tag it on to any current event. Also a preparation for the day when our PROs will be asked to comment on current events.

Method: One person has a newspaper in front of him and reads out a headline (and perhaps a line or two of the story if necessary for the PRO's understanding of it). Ask the PRO what comment he would like to make on it. The PRO should comment briefly and lead from this into his message.

This drill is passed when the PRO can tack a message on to virtually any event, smoothly and with reality.

4. Handling a suppressive T.V. Interviewer

Purpose: To train a PRO to get his message across in spite of the 'interviewer', in the few short minutes usually available on television. This is so that .... million people have no doubts after the programme what the Scientologist stands for and what he is against.

Method: The PRO and interviewer face each other and the interviewer asks questions. The PRO attaches his message in varying forms to as many answers as possible. If the interviewer is SP he must be introverted as in the hat write up, and then the PRO has his "say". The interview has been successful when the PRO has got his message across to his satisfaction.

5. Handling an SP

a) By overwhelm

Purpose: To train a PRO to be able to establish Ethics presence over an SP reporter if the occasion arises, by such things as shouting, banging, pointing, swearing. To do this completely causatively until the poor reporter is 'caved in'.

Method: The reporter and PRO sit across a table facing each other and the reporter asks SP questions. The PRO overwhelms without judgment in answer to the SP question until he does it with reality, causativeness and the overwhelm really reaches the reporter. TR 1 is a part of this (ill - there is no point saying the words if they don't reach the other guy.

b) By being knowingly covertly hostile

Purpose: To train the PRO to handle an SP reporter by word alone without the use of force as in (a). He uses the word as a rapier and plunges it at the reporter, so that the reporter introverts and drops the question.

Method: The PRO and reporter sit across a table and the reporter asks SP type questions.

The PRO observes what would be a button in relation to the question asked and throws this back with good TR 1 so that it reaches home. If the reporter is introverted the PRO is successful. If the reporter persists with the same question the PRO should no pr-press the same button - it obviously didn't work. He should drop it and use another one. If the PRO cannot think of a snide reply the reporter should just say "flunk, you haven't handled me. Start - ", or some such remark - but should not tell the PRO what to say. When the confusion has come off the PRO will be able to handle and have a big win.

The drill is completed when the PRO is willing to create a cave in with an accurate snide remark, question or statement.

c) By stalling for time

Purpose: To train a PRO to maintain his confront and composure when given some SP sensational news by a reporter, of which he has no prior knowledge.

Method: The reporter asks the PRO for his comments on an entheta situation involving a Scientologist.

The PRO maintains his ethics presence and duplicates the reporter's nasty angle to his satisfaction. He then stalls for time and gets the reporter to wait a few minutes or hours or so (whatever is necessary) while he checks his facts.

The drill is passed when the PRO is confident that he could not be taken off guard by a reporter by being presented by an unknown situation.

d) By handling the reporter in front of you (verbal Karate)

Purpose: To train a PRO to handle the reporter in front of him, with judgment in present time.

Method: The PRO and the reporter sit across a table facing each other. The PRO is asking a miscellany of questions. If it is a genuine question, he can answer it, if possible tacking his message on to the reply. If the question puts the least bit at effect, he takes this flow and turns it towards the reporter with an even greater velocity. He does this either by a snide remark, question or comment, or by physical overwhelm, whichever seems the right action to establish ethics presence.

He should never allow himself to be put at effect, and should not tolerate it even for an instant, but immediately attack back.

The drill is passed when the PRO no longer uses a machine or method to handle the reporter - but he is totally there, confident and handling.

Comment If your student experiences difficulty on these Trs one of two things are out: a) Scientology TRs 0 - IV are not flat or b) he slipped through a previous Reporter TR without a weakness or button on him being found and flattened.

History These drills have been evolved by PRO WW to train anyone on a gradient scale to handle any situation a reporter could pose. They are based on the HCOP/L 3.2.69 Public Image which states "Don't defend Scn, attack bad conditions and bad hats!"

by Sheila Gaiman
PRAWW
From the hat write up of
David Gaiman
PR Chief WW
Reissued as BTB by
Flag Mission 1234 I/C
CPO Andrea Lewis
for the
BOARDS OF DIRECTORS OF THE
CHURCHES OF SCIENTOLOGY

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[EVIDENCE FROM AUTHORIZED FBI SEARCH.]

Situation TR

Once the normal reporter TR's had been completed Rod & I worked on new drill - Handling the Situation. (This is now done before 5c)

In this we sat opposite each other as before, but the drill was to handle the 'situation'. This was basically a bad scene, in which something unpleasant and catastrophic had happened. Normally it was the sort of thing that one would wish to keep out of the papers.

Examples - all big, dramatic events, reeking of entheta, and all bad news:-

a) You are told a yacht called Apollo, registered in the name of LRH has blown up and sunk 10 miles off Gibraltar.

b) You are told the OES WW & the LRH Comm WW have been stopped at London Airport with L.50,000 in cash & 2 lbs of heroin on them, trying to leave the U.K.

c) You are told that Quentin & Diana H. have been kidnapped by the Mafia in Los Angeles.

d) You are told that the chief witness in the Manson trial, Mrs. L.K. has arrived in London, claiming to be LRH's illegitimate daughter.

e) You are told a doctor in Northern England has been critised by a coroner at an inquest for his use of Dianetics on his patients, one of whom died.

f) You are told that a senior member of the Gdn. Office WW is in the offices of the News of the World at 11 a.m. one Saturday morning, dictating a series of six weekly articles on the 'real lowdown of life in the Gdn. office'.

Now the aim of the drill is to terminatedly handle the situation: in other words keep us out of the Press, keep the journalists quiet, extract us from the situation with honor - kill the story.

We did the drill by giving each other the situation, a couple of minutes to think about it, and then handle.

[EVIDENCE FROM AUTHORIZED FBI SEARCH.]

INTEL TR'S -

TR 3 Int-

Purpose: To teach a Student Int Officer to get the answer to a question without startling a target. To teach him not to be startled by suspicion and Accusation.

Position: Student & Coach facing each other.

Commands: No fixed Commands. Use " Start", " Flunk " & " That's it " as in other TR's.

Training Stress:There are two parts to the drill.

(a) The Coach assumes an identity such as Director of a Drug Firm, or Psychiatrist, or PR Man. Coach also picks a question that the student must get answered such as " What is my address ", "What is my brother's name ", " Have I ever had any connection to FDA". Coach gives the student a couple of minutes to mock up a suitable cover. Then the drill begins with the student being the interviewer who must get the question answered. Flunks are given for being too pushy. Failing to let coach Itsa (a silent int officer Invites Itsa), For making the Coach Suspicious. Coach gets gradiently tougher & evasive.

(b) The coach picks an identity. The student picks a question as above. Flunks are given as in Part (a). If the coach guesses which question the student is trying to get answered (coaches don't go looking for the question but if it sticks out like a sore thumb then Flunk it.) Coach is more evasive in this one & flunks are given for creating suspicion. After the student does this well the coach throws in accusative comments, such " Who are you working for?" " You're a Scientologist" " What are you, a Detective?". Flunks are given for failing to handle & for becoming startled.

This drill is passed when the student can do part (b) of this drill flawlessly.

TR 3 INT WITH BULLBAITING -

Purpose: To teach a student Int Officer to improvise and maintain cover when confronted with something unexpected.

Position:Student and coach facing each other.

Commands:No fixed commands. Use "Start", "Flunk", and "That's it" as in other TRs.

The preceding were the "truth" policies originated by Hubbard directly under the control of Hubbard's wife when she was overall head of all intelligence operations. In spite of Scientology's endless disclaimers about "renegades out of control" and "this was not church policy," Hubbard personally trained his wife and designed the intelligence division of Scientology. At this point, the statement of Judge Breckenridge on L. Ron Hubbard, in his 1984 ruling against the church, seems particularly appropriate:

> "The evidence portrays a man who has been virtually a pathological liar when it comes to his history, background and achievements."

27) PROFESSIONAL PROPAGANDA CAMPAIGNS. Direct lying to its members and agents and to the courts and the government is not the only information distortion technique practiced by the church. Propaganda creation also plays an important role against its adversaries.

L. Ron Hubbard's policies promote hate to Scientology members, to create a polarity and dehumanization which will allow members to commit any illegal, uncivilized, and inhumane act deemed expedient. How Hubbard does this is described in his own policy directives. In HCO PL 5 October 1971 "Propaganda by Redefinition of *Words*":

> "A long term propaganda technique used by socialists (Communists and Nazis alike} is of interest to PR practitioners. I know of no place it is mentioned in PR literature. But the data had verbal circulation in intelligence circles and is in constant current use. The trick is -- WORDS ARE REDEFINED TO MEAN SOMETHING ELSE TO THE ADVANTAGE OF THE PROPAGANDIST. Many instances of planned and campaigned in order to obtain a public opinion advantage for the group doing the propaganda. Given enough repetition of the redefinition public opinion can be altered by altering the meaning of a word. The technique is good or bad depending on the ultimate objective of the propagandist. "Psychiatry" and "psychiatrist" are easily redefined to mean "an antisocial enemy of the people". This takes the kill crazy psychiatrist off the preferred list of professions... The redefinition of words is done be associating different emotions and symbols with the word than were intended... Scientologist are redefining "doctor", "Psychiatry" and "psychology" to mean "undesirable antisocial elements"... The way to redefine a word is to get the new definition repeated as often as possible. Thus it is necessary to redefine medicine, psychiatry and psychology downward and define Dianetics and Scientology upwards. This, so far as words are concerned, is the public opinion battle for belief in your definitions, and not those of the opposition. A consistent, repeated effort is the key to any success with this technique of propaganda. One must know how to do it." -- L. Ron Hubbard.

Here is an example of Hubbard using the same techniques he ascribes to the Communists and Nazis. In Hubbard's own words, from HCOB 24 April 1969:

> "Lately public opinion has turned heavily against the suppressive groups and the public discovery that illegal seizure, torture and murder was hidden activity of political psychiatric groups..."

He takes an emotional generality and associates illegal killing, torture and seizure with psychiatry. *Very good. Hubbard gets an "A" in "Propaganda by Redefinition of Words 101."*

Many of Hubbard other writings do their best to associate the A.M.A. and psychiatry with crime, Nazi concentration camps, the Communists -- almost anything which is despised. Hubbard's policies actively promote fanatical hate in Scientology members toward whatever he views as an enemy.

Understanding this orchestrated promotion of hate, it becomes easier to understand the attitudes and actions of cult members toward Hubbard's enemies. They are fired up by Hubbard's own words., But why would Hubbard use such Black propaganda? In HCO PL 11 May 1971, talking about Black PR, Hubbard states:

> "Exploding it to the public ideally is an effort to make the public a vigilante committee."

GUARDIAN ORDER

GO 82
DGs
AGs
PRO Hat

29th June 1971

For Public Advices

It is time we began to label Psychiatry for what it is, the greatest failure of the Nineteenth Century. Every notorious criminal and defector of the Twentieth Century was in psychiatric hands before the crime. Burgess, MacLean, the Texas Tower murderer, Manson and all the rest were psychiatric failures first. Every infamous modern assassin was a psychiatric failure. Psychiatric victims are endless trouble to our society. We are tracing social turmoil, unrest, widespread drug addiction to psychiatry.

We wish to issue a public warning that psychiatry kills. We in Scientology stand ready to help anyone, and help Governments rid themselves of psychiatric crime. There is urgency in this. In too many cases we are asked to repair persons already maimed beyond human tolerance by psychiatric interference and brutality. We blame psychiatric failure for the state of modern society. We will do all we can to help, but Nineteenth Century Psychiatry must go. We have never had a failure or upset that psychiatry had not first ruined.

L. RON HUBBARD
FOUNDER

LRH/PC

28) Setting up and using "social reform" groups whose real purpose is to defend Scientology and attack their enemies. The FBI discovered in internal secret policy directives it seized from Scientology headquarters that the preceding is the real purpose of these groups.

A partial list of front groups set up and directly or indirectly controlled by Scientology, and which are involved in covertly or overtly attacking adversaries or defending Scientology, includes:

the Committee To Defend The First Amendment
the Hubbard Dianetics Foundation
the Citizens Commission On Human Rights
Narconon
the Committee On Public Health And Safety
the Task Force On Mental Retardation
the Gerus Society
the Dianetic Information Group
the Committee To Re-involve Ex-offenders
the National Commission for Law Enforcement And Social Justice
the Foundation For The Communication of Culture International
Doctors For Religious Liberty
Vanguard, April, (a pseudo anti cult organization)
Alliance To Protect Religious Liberty
Committee For A Safe Environment
American Citizens For Honesty in Government
the Way to Happiness Foundation
the Whistle Blowers
HealthMed
Criminon
Applied Scholastics
Concerned Businessman's Association of America
Sterling Management

Some of these groups also function as front groups for covertly recruiting new members gradually into Scientology.

Scientology's Front Groups play an important role Cult Propaganda. Scientology set up reform groups shortly after Hubbard, in 1966, wrote:

> "Churches are looked upon as reform groups. Therefore we must act like a reform group."

Scientology and Dianetics are held in such disrepute that the press and public seldom believes their propaganda releases. Indoctrinated members can be made to believe the propaganda, but in public Scientology must use front groups to defend it, speak for it, and attack its enemies. Internal confidential documents seized by the F.B.I. show that social reform activities were designed primarily to attack critics publicly from the safe and respectable position of a humane social reform group. An example of Hubbard's thinking on this matter is policy directive HCO PL 12 January 1973 "The Safe Point":

> "...Rule 1...Get in a safe place and speak up. It is necessary of course to have a safe place to get into, from which one can in safely speak up. One cannot defend himself in a point that has no defenses...Thus the Safe Point takes consideration over Active Defense...a special unit must be set up and run at full steam to make a safe point and gain viable PR Area Control over all publics in the area...The PR Area Control action in a new area can go so far as to create in the area of whole past and future track for the activity being established. It can make it sound old-fashioned, stable, reliable, expert, productive..."

The Scientology front social reform groups fulfill Hubbard's directives to a "T." Very few people will attack a social reform group, so Scientology now has its "Safe Point" from which these groups can get its propaganda messages across. The social reform groups do perform social good. If they didn't, they would be useless to Hubbard and easily seen through. In my 11 years in the organization I've noted common denominators to all the good works or public investigations and exposes these front groups perform.

1) The groups become covert recruiting bureaus for Scientology

2) These groups, when exposed, try to lend humanitarian or religious credibility to Scientology. After 11 years inside, my opinion is that Scientology's religious image is a carefully created image and illusion to protect their tax-free profits. The social reform groups that openly acknowledge their connection to Scientology are mainly for this purpose.

3) Exposes by these social reform groups are directed at groups, organizations or individuals that are critical, threatening, or hostile to Hubbard or Scientology.

4) Programs and orders for front group activities come from the intelligence section of Scientology. The top executive posts in the reform groups are guided by paid "church" intelligence staff. They try very hard to conceal these connections.

5.) Any good works done are to make Scientology or Hubbard personally seem "old, established, stable, reliable, expert, and productive."

As "Safe Point" front groups are made known for what they are, new ones will be set up by Scientology to fulfill the vitally needed "Safe Point" function. If the I.R.S. were to dig through the payroll records of these front groups, they might find Scientology again violating *its tax free status by engaging in political activities.*

29) Using a front law firm[48] as a de facto extension of Scientology's intelligence division and intimidation intelligence strategy.

"Bowles and Moxon was formed in 1987 with two lawyers. Moxon, (fee $220 per hour,) and name partner Timothy Bowles, opened an office later that year in the church's Hollywood headquarters complex. Today seven of the firms lawyers are Scientologists including all four partners.

Moxon for example has a long history with the church. In the late 1970's he served a stint as the District of Columbia Assistant Guardian for the Legal Bureau" working in the very office where massive covert operations against the government were being run at the time, according to a stipulation of evidence that was agreed to by all parties in the 1979 federal criminal case against nine of the church leaders. "It's true that I was there doing legal work as a paralegal," says Moxon 42... but he denies criminal operations being run out of the office: "I wasn't aware of it."

For a better understanding of Mr. Moxon's last statement recall the training materials for Guardian Office staff, which he has been trained on, especially the training policy called TRL, Training Routine Lying.

30.) Deliberately recruiting and using "do anything to get the fee" private investigators. Scientology has a policy that states that people and organizations recruit in their own image. This can be seen in Scientology's selection of private investigation firms.

The crown jewel in Scientology's overt intelligence, and the individual who best reflects the recruiting in your own image principle, is Eugene Ingram, a LA private investigator who Scientology is purportedly paying $700,000[49]a year. According to the LA Times, Eugene was a LA police Sergeant until he was dismissed for tipping off drug dealers of upcoming raids and running a house of prostitution. Fellow officers who worked with him describe him as someone who will do anything for money.

Eugene Ingram and the other bottom-of-the-barrel dismissee police detectives and government agency people Scientology now recruits to do its overt dirty work, reflect the true nature of the organization--- an organization that has no intention to reform its ways. If it was sincere about sending the world a signal it really had reformed, it certainly would have Mr. Ingram being paid through their law firms. Would it have its in-house law firm run by a trained Guardian Office member who has signed on for the duration and was operating out of the center where the infiltration of the U.S. government was being coordinated?

Past private investigators who no longer work for Scientology have said they were told to "try to find dirt" In a recent American Lawyer article one investigator said, "[Scientologists are] terribly vindictive and can cause you [any] amount of trouble."

---

[48] Scientology's total annual legal fee estimate is currently $20 million a year, Time Magazine.

[49] In April of 1993 Scientology's $700,000 wunderkind, (Ingram,) came to serve Wollersheim with a new harassment suit. At this time, after a 10-day stake out, he tried to set up a scenario of what would appear to be Wollersheim trying to run him down while the local police were supposed to be watching. Not only did he fail, but he wound up losing his internal operation papers showing that he had illegally accessed Wollersheim's private mail box and was monitoring his mail, as well as other incriminating actions.

The private investigators Scientology recruits reflect their real intentions and the real secret Scientology. Scientology deliberately hires and maintains bottom-of-the-barrel "do anything" private investigators, in conjunction with and through their law firms, so that any information they gather is protected by the attorney-client work product. This ostensible separation shields them from unethical activities by an arm's length of pausable deniability: "This investigator was overzealous and we certainly didn't order them to do that."

These are not the kind of signals that show the world that Scientology has cleaned house or mended its ways. But it does wonderfully highlight the real nature of Scientology and the old business-as-usual story.

One might wonder why Scientology would so obviously further jeopardize rebuilding its no-reputation by using such individuals in key roles of public exposure when at the same time they are spending tens of millions of dollars on PR and Propaganda campaigns to sell the story "we have really changed." There must be some very important reason for taking such a risk

Well, there is. They are afraid of their own former members speaking out en masse. These highly visible henchmen serve to scare those who have been on the inside of Scientology and know what those people are like. Those who leave have long since learned to keep their mouths shut. They know who these people are, and that the intelligence and harassment machine is still there!

31) Possibly buying political influence. Has Scientology decided to take some of the hundreds of millions of dollars a year it makes while avoiding taxes that other for-profit organization have to pay, and start using it to buy political influence. You be the judge.

> "Lubell is just one of a stable of reputable lawyers the church has hired over the last decade, who range from Yingling to criminal tax expert Gerald Feffer[50] of D.C's 133 lawyer Williams and Connolly (Yingling's husband) to the church's general counsel William Drescher, (paid $540,000 a year by Scientology,) a former partner of LA's now defunct Wyman,, Bautzer, Kuchel and Silbert.
>
> *"The Internal Revenue Service* has been trying to bring Scientology to justice, so far, to little avail. Scientology claims the IRS has a bias against it and is out to get the church even though its taxes are aboveboard. I'm sure the IRS does have a bias against Scientology just as it had a legitimate bias against Al Capone....

---

[50] Feffer was a former deputy assistant attorney general in the tax department of the Justice Department. Feffer, as a new member of Scientology' s legal team (fee $350 per hour), in November 1986 somehow quickly disposed of a nascent criminal tax investigation into Scientology at the Justice Department Tax division. The question remains, "Did Scientology buy influence and "old buddy you owe me one" network credibility to avoid justice? Is this the type of situation Clinton called the revolving door of government jobs to private sector jobs? Review of this whole transaction should be considered at the Justice Department by the seniors of the individuals who cut the deal with Feffer.

An October 1990 news release from the church [of Scientology], said Senator John McCain and Reps. Jon Kyl, John Rhodes, Bob Stump and then Rep. Morris Udall had written to the IRS asking it to explain why it was targeting Scientologists. I find it hard to believe these guys didn't have a clue. Then again God hasn't blessed us with the brightest politicians."

-- from the *Arizona Republic* June 29, 1991.

PUTTING SOME OF IT TOGETHER

THE "NEW" SCIENTOLOGY'S NEVER-ENDING STORY OF ACTIONS AGAINST ITS ADVERSARIES

THE ARMSTRONG EXAMPLE

According to the theoretical "bible" of intelligence strategy used by Scientology, a book called the "Art Of War," it is always better to undermine your enemies plans than to attack their armies. The Armstrong case is a good example of the coordinated strategy of the "new" Scientology and the "new" Scientology Executives in action. **It demonstrates the true Scientology style in handling truth, cover stories, intelligence tactics, and their conspiratorial world view in action against important current adversaries.**

From Scientology's legal arguments which attempted to seal the Armstrong case from the public and media:

> "The infiltration of the church was planned as an undercover operation by the LA CID, [criminal investigation division of IRS,] along with former church member Gerald Armstrong, who planned to seed church files with forged documents which the IRS could then seize in a raid. The IRS planned to assist Armstrong in taking over the Church of Scientology hierarchy which then turn over all church documents to the IRS for their investigation."
>
> "Armstrong has admitted, in a videotaped interview, to creating forged documents for placement in church files for the sole purpose of giving the false appearance of unethical or illegal actions committed by the church; and Armstrong has admitted, in a videotaped interview, his intention to commit perjury..."
>
> "In November 1984 [] Armstrong was plotting against the Scientology Churches and seeking out staff members in the Church who would be willing to assist him in overthrowing Church leadership. The Church obtained information about Armstrong's plans and, through a police sanctioned investigation, provided Armstrong with the "defectors he sought."

To what lengths will Scientology go to create false and misdirecting cover stories? In this case, Scientology was expecting a major new IRS investigation and another adverse ruling. The above-quoted paragraphs were provided a damage control cover story and a poison pill deterrent for the expected IRS problem. Using it, Scientology hoped to make itself look like a poor, weak, and harmless persecuted religion being taken over by a big, feared, anti-religious government agency in conspiracy with a Scientology defector.

This rather transparent strategy was designed to draw the uninformed to its defense and scare the IRS into backing off. This black PR tactic, and the "hopelessly intertwined" religious issue confusions attached to it, are relied upon to create a "smoke and mirror" conspiracy in the minds of judges, legitimate religions, and honest civil libertarian groups. (Full details on Scientology's paradoxical use of the "hopelessly intertwined" religious issues are contained in the "Pervasive Pretext and Scientology" chapter.)

You saw, on the previous page, Scientology's version of the Armstrong story. You have read the Scientology policy called TR-L (Training Routine, Lying). Keep that policy in mind as you read the real story of Gerry Armstrong, as it was decided in the court under the rules of evidence. (The Armstrong story appeared in the "inFormer," a leading newsletter of former Scientologists.)

THE TRIALS OF GERRY ARMSTRONG

The following is an except from the Breckenridge decision in 1984 where he describes the history of the case. It is now judicial fact. From the Informer Newsletter. (All during the Armstrong events, which go on to this day, the same two individuals ran the "new" Scientology: David Misgauge and Norman Starkey.)

Defendant Armstrong was involved with Scientology from 1969 through 1981, a period spanning 12 years. During that time he was a dedicated and devoted member who revered the founder, L. Ron Hubbard. There was little that Defendant Armstrong would not do for Hubbard or education, one-third of his life, money and anything he could give in order to further the goals of Scientology, goals he believed were based upon the truth, honesty, integrity of Hubbard and the Organization.

From 1971 through 1981, Defendant Armstrong was a member of the Sea Organization, a group of highly trained Scientologists who were considered the upper echelon of the Scientology organization.

During those years he was placed in various locations, but it was never made clear to him exactly which Scientology corporation he was working for. Defendant Armstrong understood that, ultimately, he was working for L. Ron Hubbard, who controlled an Scientology finances, personnel, and operations while Defendant was in the Sea Organization.

Beginning in 1979 Defendant Armstrong resided at Gilman Hot Springs, California, in Hubbard's "Household Unit." The Household Unit took care of the personal wishes and needs of Hubbard at many levels. Defendant Armstrong acted as the L. Ron Hubbard Renovations In-Charge and was responsible for renovations, decoration, and maintenance of Hubbard's home and office at Gilman Hot Springs.

In January of 1980 there was an announcement of a possible raid to be made by the FBI or other law enforcement agencies of the property. Everyone on the property was required by Hubbard's representatives, the Commodore's Messengers, to go through all documents located on the property and "vet" or destroy anything which showed that Hubbard controlled Scientology organizations, retained financial control, or was issuing orders to people at Gilman Hot Springs.

A commercial paper shredder was rented and operated day and night for two weeks to destroy hundreds of thousands of pages of documents.

During the period of shredding, Brenda Black, the individual responsible for storage of Hubbard's personal belongings at Gilman Hot Springs, came to Defendant Armstrong with a box of documents and asked whether they were to be shredded. Defendant Armstrong reviewed the documents and found they consisted of a wide variety of documents including Hubbard's personal papers, diaries, and other writings from a time before he started Dianetics in 1950, together with documents belonging to third persons which had apparently been stolen by Hubbard or his agents. Defendant Armstrong took the documents from Ms. Black and placed them in a safe location on the property. He then searched for and located another twenty or more boxes containing similar materials, which were poorly maintained.

On January 8, 1980, Defendant Armstrong wrote a petition to Hubbard requesting his permission to perform the research for a biography to be done about his life. The petition states that Defendant Armstrong had located the subject materials and lists of a number of activities he wished to perform in connection with the biography research.

Hubbard approved the petition, and Defendant Armstrong became the L. Ron Hubbard Personal Relations Officer Researcher (PRO Res). Defendant claims that this petition and its approval forms the basis for a contract between Defendant and Hubbard. Defendant Armstrong's supervisor was then Laurel Sullivan, L. Ron Hubbard's Personal Public Relations Officer.

During the first part of 1980, Defendant Armstrong moved all of the L. Ron Hubbard Archives materials he had located at Gilman Hot Springs to an office in the church of Scientology Cedars Complex in Los Angeles. These materials comprised approximately six file cabinets. Defendant Armstrong had located himself in the Cedars Complex, because he was also involved in "Mission Corporate Category Sort-Out," a mission to work out legal strategy. Defendant Armstrong was involved with this mission until June of 1980.

It was also during this early part of 1980 that Hubbard left the location in Gilman Hot Springs, California, and went into hiding. Although Defendant Armstrong was advised by Laurel Sullivan that no one could communicate with Hubbard, Defendant Armstrong knew that the ability for communication existed, because he had forwarded materials to Hubbard at his request in mid 1980.

Because of this purported inability to communicate with Hubbard, Defendant Armstrong's request to purchase biographical materials of Hubbard from people who offered them for sale went to the Commodore's Messengers Organization, the personal representatives of Hubbard.

In June of 1980 Defendant Armstrong became involved in the selection of a writer for the Hubbard biography. Defendant Armstrong learned that Hubbard had approved of a biography proposal prepared by Omar Garrison, a writer who was not a member of Scientology. Defendant Armstrong had meetings with Mr. Garrison regarding the writing of the biography and what documentation and assistance would be made available to him. As understood by Mr. Garrison, Defendant Armstrong represented Hubbard in these discussions.

Mr. Garrison was advised that the research material he would have at his disposal were Hubbard's personal archives. Mr. Garrison would only undertake a writing of the biography if the materials provided to him were from Hubbard's personal archives, and only if his manuscript was subject to the approval of Hubbard himself.

In October of 1980 Mr. Garrison came to Los Angeles and was toured through the Hubbard archives material that Defendant Armstrong had assembled up to that time. This was an important "selling point" in obtaining Mr. Garrison's agreement to write the biography. On October 30, 1980, an agreement was entered into between Ralston-Pilot, ncv. F/S/O Omar V. Garrison, and AOSH DK Publications of Copenhagen, Denmark, for the writing of a biography of Hubbard.

Paragraph 10B of the agreement states that:

"Publisher shall use its best efforts to provide Author with an office, an officer assistant and/or research assistant, office supplies and any needed archival and interview materials in connection with the writing of the Work." The "research assistant" provided to Mr. Garrison was Defendant Armstrong.

During 1980 Defendant Armstrong exchanged correspondence with Intervenor regarding the biography project. Following his approval by Hubbard as biography researcher, Defendant Armstrong wrote to Intervenor on February 5, 1980, advising her of the scope of the project. In the letter Defendant stated that he had found documents which included Hubbard's diary from his Orient trip, poems, essays from his youth, and several personal letters, as well as other things.

By letter of February 11, 1980, Intervenor responded to Defendant, acknowledging that he would be carrying out the duties of Biography Researcher. On October 14, 1980, Defendant Armstrong again wrote to Intervenor, updating her on "Archives materials" and proposing certain guidelines for the handling of those materials.

It was Intervenor who, in early 1981, ordered certain biographical materials from "Controller Archives" to be delivered to Defendant Armstrong. These materials consisted of several letters written by Hubbard in the 1920's and 1930's, Hubbard's Boy Scout books and materials, several old Hubbard family photographs, a diary kept by Hubbard in his youth, and several other items.

Defendant Armstrong received these materials upon the order of Intervenor following his letter of October 15, 1980, to her in which defendant stated, at page 7, that there were materials in the "Controller Archives" that would be helpful to him in the biography research.

After these materials were delivered to Defendant Armstrong, Intervenor was removed from her Scientology position of Controller in 1981, presumably because of her conviction for the felony of obstruction of justice in connection with the theft of Scientology documents from various government offices and agencies in Washington, D.C.

During the time Defendant Armstrong worked on the biography project and acted as Hubbard Archivist, there was never any mention that he was not to be dealing with Hubbard's personal documents or that the delivery of those documents to Mr. Garrison was not authorized.

For the first year or more of the Hubbard biography and archive project, funding came from Hubbard's personal staff unit at Gilman Hot Springs, California. In early 1981, however, Defendant Armstrong's supervisor, Laurel Sullivan, ordered him to request that funding come from what was known as SEA Org Reserves. Approval for this change in funding came from the SEA Org Reserves Chief and Watch Dog Committee, the top Commodores Messenger Organization unit, who were Hubbard's personal representatives.

From November of 1980 through 1981, Defendant Armstrong worked closely with Mr. Garrison, assembling Hubbard's archives into logical categories, copying them and arranging the copies of the Archives materials into bound volumes. Defendant Armstrong made two copies of almost all documents copied for Mr. Garrison one for Mr. Garrison and the other to remain in Hubbard Archives for reference or recopying. Defendant Armstrong created approximately 400 binders of documents. The vast majority of the documents for Mr. Garrison came from Hubbard's personal Archives, of which Defendant Armstrong was in charge. Materials which came from other Archives, such as the Controller Archives, were provided to Defendant Armstrong by Scientology staff members who had these documents in their care.

It was not until late 1981 that Plaintiff was to provide a person to assist on the biography project by providing Mr. Garrison with "Guardian Office" materials, otherwise described as technical materials relating to the operation of Scientology. The individual appointed for this task was Vaughn Young. Controller Archives and Guardian Office Archives had no connection to the Hubbard Archives, which Defendant Armstrong created and maintained as Hubbard's personal materials.

In addition to the assemblage of Hubbard's Archives, Defendant Armstrong worked continually on researching and assembling materials concerning Hubbard by interviewing dozens of individuals, including Hubbard's living aunt, uncle, and four cousins. Defendant Armstrong did a genealogy study of Hubbard's family and collected, assembled, and read hundreds of thousands of pages of documentation in Hubbard's archives.

During 1980 Defendant Armstrong remained convinced of Hubbard's honesty and integrity and believed that the representations he had made about himself in various publications were truthful. Defendant Armstrong was devoted to Hubbard and was convinced that any information which he discovered to be unflattering of Hubbard or contradictory to what Hubbard has said about himself, was a lie being spread by Hubbard's enemies. Even when Defendant Armstrong located documents in Hubbard's Archives which indicated that representations made by Hubbard and the Organization were untrue, Defendant Armstrong would find some means to "explain away" the contradictory information.

Slowly, however, throughout 1981, Defendant Armstrong began to see that Hubbard and the Organization had continuously lied about Hubbard's past, his credentials, and his accomplishments. Defendant Armstrong believed, in good faith, that the only means by which Scientology could succeed in what Defendant Armstrong believed was its goal of creating an ethical environment on earth, and the only way Hubbard could be free of his critics, would be for Hubbard and the Organization to discontinue the lies about Hubbard's past, his credentials, and accomplishments. Defendant Armstrong resisted any public relations piece or announcement about Hubbard which the L. Ron Hubbard Public Relations Bureau proposed for publication which was not factual. Defendant Armstrong attempted to change and make accurate the various "about the author" sections in Scientology books, and further, Defendant rewrote or critiqued several of these and other publications for the L. Ron Hubbard Public Relations Bureau and various Scientology Organizations. Defendant Armstrong believed and desired that the Scientology Organization and its leader discontinue the perpetration of the massive fraud upon the innocent followers of Scientology, and the public at large.

Because of Defendant Armstrong's actions, in late November of 1981, Defendant was requested to come to Gilman Hot Springs by Commodore Messenger Organization Executive, Cirrus Slevin. Defendant Armstrong was ordered to undergo a "security check," which involved Defendant Armstrong's interrogation while connected to a crude Scientology lie detector machine called an E-meter.

The organization wished to determine what materials Defendant Armstrong had provided to Omar Garrison. Defendant Armstrong was struck by the realization that the Organization would not work with him to correct the numerous fraudulent representations made to followers of Scientology and the public about L. Ron Hubbard and the Organization itself. Defendant Armstrong, who, for twelve years of his life, had placed his complete and full trust in Mr. and Mrs. Hubbard and the Scientology Organization, saw that his trust had no meaning and that the massive frauds perpetrated about Hubbard's past, credentials, and accomplishments would continue to be spread.

Less than three weeks before Defendant Armstrong left Scientology, he wrote a letter to Cirrus Slevin on November 25, 1981, in which it is char that his intentions in airing the inaccuracies, falsehoods, and frauds regarding Hubbard were done in good faith. In his letter he stated as follows:

"If we present inaccuracies, hyperbole or downright lies as fact or truth, it doesn't matter what slant we give them, if disproved the man will look, to outsiders at least, like a charlatan. This is what I'm trying to prevent and what I've been working on the past year and a half. .

"and that is why I said to Norman that it is up to us to insure that everything which goes out about LRH is one hundred percent accurate. That is not to say that opinions can't be voiced, they can. And they can contain all the hype you want. But they should not be construed as facts. And anything stated as a fact should be documentable.

"We are in a period when "investigative reporting" is popular, and when there is relatively easy access to documentation on a person. We can't delude ourselves I believe, if we want to gain public acceptance and cause some betterment in society, that we can get away with statements, the validity of which I don't know.

"The real disservice to LRH, and the ultimate make wrong is to go on assuming that everything he's ever written or said is one hundred percent accurate and publish it as such without verifying it. I'm talking here about biographical writings. This only leads, should any of his statements turn out to be inaccurate, to a make-wrong of him, and consequently his technology.

"That's what I'm trying to remedy and prevent.

"To say that LRH is not capable of hype, errors or lies is certainly (sic) not granting him much of a beingness. To continue on with the line that he has never erred nor lied is counterproductive. It is an unreal attitude and too far removed from both the reality and people in general that it would widen public .

"...That is why I feel the falsities must be corrected, and why we must verify our facts and present them in a favorable light."

The remainder of the letter contains examples of facts about Hubbard which Defendant Armstrong found to be wholly untrue or inaccurate and which were represented as true by the Hubbard's and the Scientology Organization.

In December of 1981 Defendant Armstrong made the decision to leave the Church of Scientology. In order to continue in his commitment to Hubbard and Mr. Garrison in the biography project, he copied a large quantity of documents, which Mr. Garrison had requested or which would be useful to him for the biography. Defendant Armstrong delivered all of this material to Mr. Garrison the date he left the SEA Organization and kept nothing in his possession.

Thereafter, Defendant Armstrong maintained friendly relations with Hubbard's representatives by returning to the Archives office and discussing the various categories of materials. In fact on February 24, 1982, Defendant Armstrong wrote to Vaughn Young, regarding certain materials Mr. Young was unable to locate for Omar Garrison.

After this letter was written, Defendant Armstrong went to the Archives office and located certain materials Mr. Garrison had wanted which Hubbard representatives claimed they could not locate.

At the time Defendant Armstrong left the SEA Organization, he was disappointed with Scientology and Hubbard, and also felt deceived by them. However, Defendant Armstrong felt he had no enemies and felt no ill will toward anyone in the Organization or Hubbard, but still believed that a truthful biography should be written.

After leaving the SEA Organization, Defendant Armstrong continued to assist Mr. Garrison with the Hubbard biography project. In the spring of 1982, Defendant Armstrong at Mr. Garrison's request, transcribed some of his interview tapes, copied some of the documentation he had, and assembled several more binders of copied materials. Defendant Armstrong also set up shelves for Mr. Garrison for all the biography research materials, worked on a cross-reference systems, and continued to do library research for the biography.

On February 18, 1982, the Church of Scientology International issued a "Suppressive Person Declare Gerry Armstrong," which is an official Scientology document issued against individuals who are considered as enemies of the Organization. Said Suppressive Person Declare charged that Defendant Armstrong had taken an unauthorized leave and that he was spreading destructive rumors about Senior Scientologists.

Defendant Armstrong was unaware of said Suppressive Person Declare until April of 1982. At that time a revised Declare was issued on April 22, 1982. Said Declare charged Defendant Armstrong with 18 different "Crimes and High Crimes and Suppressive Acts Against the Church." The charges included theft, juggling accounts, obtaining loans on money under false pretenses, promulgating false information about the Church, its founder, and members, and other untruthful allegations designed to make Defendant Armstrong an appropriate subject of the Scientology "Fair Game Doctrine." Said Doctrine allows any suppressive person to be "tricked, cheated, lied to, sued, or destroyed."

The second declare was issued shortly after Defendant Armstrong attempted to sell photographs of his wedding on board Hubbard's ship (in which Hubbard appears), and photographs belonging to some of his friends, which also included photos of L. R. Hubbard while in seclusion. Although Defendant Armstrong delivered the photographs to a Virgil Wilhite for sale, he never received payment or return of his friend's photographs. When he became aware that the Church had these photographs, he went to the Organization to request their return. A loud and boisterous argument ensued, and eventually was told to leave the premises and get an attorney.

From his extensive knowledge of the covert and intelligence operations carried out by the Church of Scientology of California against its enemies (suppressive persons), Defendant Armstrong became terrified and feared that his life and the life of his wife were in danger, and he also feared he would be the target of costly and harassing lawsuits. In addition, Mr. Garrison became afraid for the security of the documents and believed that the intelligence network of the Church of Scientology would break and enter his home to retrieve them. Thus, Defendant Armstrong made copies of certain documents for Mr. Garrison and maintained them in a separate location.

It was thereafter, in the summer of 1982, that Defendant Armstrong asked Mr. Garrison for copies of documents to use in his defense and sent the documents to his attorneys, Michael Flynn and Contos & Bunch.

After the within suit was filed on August 2, 1982, Defendant Armstrong was the subject of harassment, including being followed and surveilled by individuals who admitted employment by Plaintiff; being assaulted by one of these individuals; being struck bodily by a car driven by one of these individuals; having two attempts made by said individuals apparently to involve Defendant Armstrong in a freeway automobile accident; having said individuals come onto Defendant Armstrong's property, spy in his windows, create disturbances, and upset his neighbors. During trial when it appeared that Howard Schomer (a former Scientologist) might be called as a defense witness, the Church engaged in a somewhat sophisticated effort to suppress his testimony. It is not clear how the Church became aware of defense intentions to call Mr. Schomer as a witness, but it is abundantly clear they sought to entice him back into the fold and prevent his testimony.

THE WOLLERSHEIM CASE

TIMES CHANGE, TACTICS DON'T

What are the real reasons behind Scientology's endless stream of character assassinations?

> "The defense of anything is untenable. The only way to defend anything is to attack, and if you ever forget that, you will lose every battle you are engaged in, weather it is in terms of personal conversation, public debate, or a court of law. NEVER BE INTERESTED IN CHARGES. Do yourself, much MORE CHARGING, and you will win."

Another key reason for Scientology's adversarial tactics is not so much for the outside public, but *to redirect their own members attention away from critically thinking* about or investigating any of.the adverse charges leveled against Scientology. As illogical as it sounds, when members see Scientology attacking accusers, they have been conditioned to think "We are attacking them louder and longer, therefore we must be right." Although this tactic is more suitable to the Nazi Germany era, "if a lie is told loud enough and long enough it will be believed," it is a continually repeated Scientology technique to minimize the effect of doubts creeping into its income base.

A secondary effect of character assassination is to isolate current members from communication or cooperation with the "evil or crazy" former members who have been exposed to non-censored information. These two factors, plus the desire to limit the applicability of future legal precedents, are at play in the Wollersheim case.

Wollersheim has been repeatedly characterized by Scientology in the media and to its members, as a draft evading college dropout, con man, drug-using hippie drifter, a wife beater with severe emotional problems and having a prior mental history. Scientology also claimed that Wollersheim tried to extort money from the church, broke into church files illegally, ran out on debtors, falsified accounts receivables to obtain loans, was institutionalized for mental problems before being a Scientology member, and lashed out against Scientology when his dreams of wealth failed to materialize. Apparently the Court saw the financial persecution differently:

> "Substantial evidence supports the conclusion Scientology leaders made the deliberate decision to ruin Wollersheim economically and possibly psychologically... Nothing... (in any) case we have been able to locate even implies a religion is entitled to constitutional protection for a campaign deliberately designed to financially ruin anybody--whether a member or nonmember of that religion."

To help create the necessary internal explanatory illusion and to help set the stage for limiting the precedent if they lost, besides issuing a general public notice of expulsion, Scientology created and distributed a 10 page "dead agenting"[51] document called the "Wally Affidavit." In this document, in the form of a satirical and often illogical story, are statements designed to clearly signal members that Wollersheim was evil, a total "nut case," and what Scientology technology calls in its loaded language a "Type III" (completely psychotic).

Without explanation, the document alludes to Wollersheim communicating with aliens from outer space and being ordered by them to attack Scientology. It went on to imply that while still a member, Wollersheim tried to sell an embarrassing news story on Scientology, TO Scientology, for 10 million dollars.

The implication was also made that all important Scientology-approved, certified, or validated achievements that Wollersheim had ever completed or attained were attained under fraud, and that Wollersheim had secretly been using his falsely attained status for personal gain. This served as a cover story to members to help explain the failure of Scientology's infallible technology and its elite personnel's gross failure to discover these "facts" during Wollersheim's 10 years in Scientology and approximately $100,000 in paid and received Scientology services.

Even with ex-members who have been out for years, Wollersheim still finds individuals reluctant at first to cooperate with him because all they know is the "nut case" intelligence line they were fed in Scientology.

> "Entirely by bringing about public conviction that the sanity of a person is in question it is possible to discount and eradicate all the goals and activities of that person."
> From the "Brainwashing Manual" ascribed• to L Ron Hubbard.

Oddly enough, current members or others repeating the Scientology attack line (that Wollersheim had a mental history) do not wonder about the glaring incongruity that Wollersheim was a mid-level executive Sea Org staff member who had gone through most of the secret OT levels. Sea Org membership, and access to the OT levels **both require, according to strict Scientology policy, that the person have no history of mental illness or institutionalization.** Wollersheim was carefully screened and completely security checked by Scientology before he was allowed on Sea Org staff or allowed on the upper levels. *No valid prior mental or institutional history existed until Scientology's intelligence division decided to promote one out of an incident it helped to create.*[53]

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[51] An intelligence tactic for destroying the credibility and jeopardizing an individual or operative.

[52] See "Coercive Persuasion and Scientology" appendix for details of Hubbard's covert authorship of this manual.

[53] Scientology staff members, on advice from their intelligence branch in Minneapolis, advised Wollersheim how to stage a false psychiatric and institutional history with the Milwaukee draft board to assist Wollersheim in avoiding the draft and becoming a future staff member FOR Scientology.

The character assassination does not stop here. To falsely limit the Wollersheim liability precedent to "only individuals who had PRIOR mental histories BEFORE getting into Scientology," Scientology's intelligence division rewrote and created several false "histories" for Wollersheim. Scientology also promotes that Wollersheim was an incipient manic[54] depressive prior to Scientology and that Wollersheim is still an unbalanced manic depressive.[55]

The facts demonstrate otherwise, Wollersheim had no dormant or prior history of manic depression. After being exposed to Scientology Wollersheim did have temporary episodes of manic depression which Scientology itself caused when they broke Wollersheim down in their experimental thought reform processes.[56]

As an adversary of Scientology, one of the first things one must give up is a sensitivity about reputation. Over the past years Wollersheim has been reluctant to defend himself and has not answered his accusers' cover stories. Now, after 12 years, Wollersheim is more openly associated with the work of bringing justice to Scientology and helping its victims. The slurs against him personally could damage the credibility of those activities. So it is time to say that **Scientology's statements are gross TR-L (Training Routine Lying) -style distortions or outright lies.**

There is a "coincidence" that occurred during Wollersheim's 6-month trial which helps make this point perfectly clear. It also has the attempted precedent-limiting intelligence signature of creating and rewriting "history" all over it.

One lunch break in the emptied courtroom, while the evidence exhibits were apparently not being guarded, someone altered Dr. Margaret Singer's notes on her interviews with me to read that I had taken 300 LSD trips before entering Scientology. (Dr. Singer was the expert psychologist testifying on my behalf.) The document was remembered to not have this on it when it was entered into evidence. When Dr. Singer verified by phone that no such event occurred and she never wrote such a statement in her notes this signature incident created a flurry in the courtroom.

Whether it's Armstrong, Wollersheim, Fishman, O'Rielly, Alexander, the Aznerands, Rokos, Kisser, Cezares, Wakefield, Schomer, Flynn, Yanni, Coredon, L Ron Hubbard Jr., Orsini, Behar, Cooper, Kaufman, Singer, West, Clark, Levitt, Mclean, Sulivan, Walters, Mayo, Flynn, McMurray, the Broekers, other judges, government investigators or prosecutors, ex-members, ex-celebrity members, new defectors, media people, adversarial witness or experts, **expect to see these policies enacted. All that will change is the names and details of their attention-redirecting cover stories and their rewrites of history and reality.**--- And,

These are not renegade acts. Scientology has become as determined and skillful in character assassinations as the middle eastern hashish assassins of the middle ages were in actual assassinations. Scientology's actions are completely consistent and congruent with the spirit and letter of their policies. In fact, their policy and world view DEMANDS such actions.

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[54] The courts have been caught occasionally by Scientology's sophisticated intelligence skills in creating "reality" by rewriting "histories" with false and altered documents. Our court systems are simply not equipped to spot and sort out a governmental level of professional intelligence work.

[55] A high level defector recently disclosed a forged letter-writing operation. Fake letters allegedly from my relatives were to be sent to my attorney implying that I was a zealot and would never settle with Scientology, thus my attorney would be smart to quit the case.

[56] See the "Coercive Persuasion and Scientology" chapter for full details on this and what other types of damage occur when you subject someone unknowingly to a thought reform program.

MORE SCIENTOLOGY INTELLIGENCE OPERATIVE TRAINING MATERIALS

The following operative training materials will demonstrate more of the machievalian depth of detailed PROFESSIONAL sophistication, deception and cover of Scientology's intelligence operations. Training programs and materials as are found in this appendix are not credibly assigned to a small renegade group operating on its own initiative without the knowledge or direct senior level control of Scientology. The signatures on these directives were the top executives in Scientology.

Scientology and its representatives somehow believe that simply because they tell us they have changed, we will now believe that an intelligence agency, because it has changed its name from the Guardians office to the Office of Special Affairs (OSA), has now become a church. Somehow Scientology thinks we are all going to ignore the 40-year history of facts which demonstrate that:

1.) All Scientology actions are directed by Scientology secret or public policy.

2.) All Scientology policy of importance comes only from the very top of the organization.

3.) Scientology is a robotic organization that only and always follows its own secret or public policies

4.). There are no renegade actions in Scientology. Hubbard developed the Guardians office, developed its policy, trained its top people (Mary Sue Hubbard his wife) and had them report directly to him on a daily basis in disguised ways.

5.) The Guardians office and the Watchdog Committee created the OSA to support a cosmetic cover story about change and cleaning house. The OSA continues with the same old actions, uses the same old secret policy developed by Hubbard (maybe now scrambled and security protected in their new computer system), and uses many of the same Guardians office staff, (i.e., Heber Jentchz the new president of the reformed "church," and Kendrick Moxon head of their in-house legal firm). The top levels were personally trained by Hubbard (Misgauge, Starkey and the old Watchdog Committee). The only thing that's different is that they are reporting to Misgauge and Starkey not Hubbard.

The big lie that Scientology hopes someone will believe, is that all its past outrageous activities were done by a tiny group of unsophisticated, disconnected, low level renegades who are now gone. Saying that all the individuals who were involved in the criminal activities are gone is another big lie. Even most of those who were publicly disavowed are secretly still involved.

If someone who has studied this information and has the misfortune to be on Scientology's enemy list believes that last statement, then I imagine that person also believes in mother goose. Scientology hasn't changed because Scientology's nature and policy hasn't changed. And, the way you know for certain Scientology's nature and policy hasn't changed is because Scientology's actions haven't changed.

How can you change the "fruit" unless you change the "root." Until Scientology publicly disavows Hubbard, the actual "root" source of the insane secret "church" policies, Scientology can't even begin to change its nature. It will just become more secretive. Until it publicly disavows Hubbard's sociopathic policies it will blindly keep following them *because that's what Scientology policy says to do*, for example, the "Keeping Scientology Working" policy.

Scientology changing its real nature because it tells you it has done so, reminds me of the story of the Scorpion and the frog. A scorpion wanted to cross a river so it went up to the frog and said. " Take me across the river on your back." But the frog said, "No way, you will sting me to death and I'll die. The Scorpion replied, "I wouldn't do that then I would drown and die too." The frog thought about this but still didn't believe the scorpion.

After much reluctance and continual convincing by the scorpion that he had changed and wouldn't sting him, the frog finally consented to carry the scorpion across the river on its back. Half way across the river the scorpion the scorpion stung the frog. As the frog began sinking and dying he said, Why did you sting me after you promised you had changed and wouldn't? Now were both going to die." And the scorpion replied, "I couldn't help myself. It's my nature."

(If you would like to read more detailed intelligence training procedures, continue on through the next section. If you have seen enough, go directly to the conclusion and news articles.)

About the following additional materials

In these materials a covert agent such as Dardano, who was mentioned earlier, is officially known in Scientology parlance as an F.S.M. To classify as an F.S.M., a Scientologist is first required to meet certain security precautions. Some of these requirements include: "complete family background checks, have no traceable addresses, limited and secure friends, a secret place to live, keep no Scientology materials in their home", etc.

To ensure this security, the Guardian's Office often uses elaborate security checks utilizing a Hubbard device known as an E-meter (a crude lie detector). Once an F.S.M. is security cleared he then attends courses and seminars, usually at the National Headquarters in California, for the instruction necessary to run the criminal operations engaged in by the Guardian's Office. One such course is entitled "Confidential Intelligence Course". That one course "outline" is 20 pages in length and describes in subject form the various elements necessary to conduct criminal operations.

The last page of the Confidential Intelligence Course is an example of one Scientology agent completing courses in criminal operations. Some of these subjects include "Brainwashing", Espionage, Counter-espionage, Spying, Terror Stalks, the War, Codes and Coding, Combat Information Center Series (C.I.C.), Counter Insurgency Campaigns, The Spy and His Masters, Building a Cover, Covert Operations I & II, Security and Theft, Art of War, Enemy Names, etc.

This particular course, which contains more than 400 subjects including those mentioned above, plus teaching agents to lie, i.e., TR-L or Training Routine to Lie; effective use of extortion, forgery and blackmail; kidnapping and altering appearances. The seized FBI documents reveal that Scientology primarily emphasized programs and operations to commit burglaries and larcenies with specialization in covert infiltration courses such as "The Strike", a document instructing F.S.M.'s in "12 steps" on how to break in and steal the "target objective".

A still more detailed study on the "tools of the trade" necessary to break in, are taught in a course entitled "Walk Ins". "Walk Ins" provides instruction on use of burglar tools and what to look for and look out for. After the burglary, the course "Security" describes "how not to leave evidence behind". Subjects covered in this course are fingerprints, untraceable phones, light patterns left behind in Xerox machines, saliva analysis and what to do if you get caught. It describes examples of agents whose covers were "blown." Once instruction for burglaries and larcenies was completed, F.S.M.'s then reviewed "Guardians' Orders." Guardians' Orders were normally ordered by Mary Sue Hubbard, L. Ron Hubbard's wife and second in command. Orders, usually many on a daily basis for years, instructed the Guardian's Office to deploy its agents world wide for "attacks" against "targets" (critics or potential critics).

The success of these F.S.M. attacks is evident in a series of documents known as "Compliance Reports" and "Bonuses" given by Hubbard and the Guardian's Office to agents running a successful campaign. A Compliance Report is a report from an agent in the field reporting back to the local Church Guardian, who then reports to National Headquarters. From the national level a summary report would be sent "uplines" from the National Headquarters to L. Ron Hubbard and Mary Sue Hubbard, now Misgavage and Starkey.

The following is just a small sample of the training of these operatives.

[EVIDENCE FROM AUTHORIZED FBI SEARCH.]

SECRET

25 March 1977

All concerned
BI staff (Board of Investigation)
All Secs (Secretaries)
DGI US OFFICE (Deputy Guardian International)

Via: DDGI US

RE: RED BOX

Dear All,

This is to introduce into BI US the complete red box system. Most of you have heard of this earlier - I will now explain it in detail.

First of all, all data that is red box data, has to be pulled from your areas. The complete definition of Red Box material is attached.

Secondly, you must ensure that none of your juniors (for those of you who have them) have red box data in their areas.

All the red box material from your areas must be centrally located, together and in a moveable container (ideally a briefcase), locked, and marked.

When this is done in each area, we will divide up the amounts and deputize persons in the area to be responsible for its removal from the premises in the case of a raid. This procedure will be drilled. This procedure will stay in at the new location.

'Please have all this data sorted and located in proper container by Monday night March 28. I will then divide up removal duties, and we will drill it Tuesday night just before the all hands.

Love,

Judy

[EVIDENCE FROM AUTHORIZED FBI SEARCH.]

RED BOX DATA INFORMATION SHEET

1. What is Red Box data?

(a) Proof that a Scientologist is involved in criminal activities.
(b) Anything illegal that implicates MSH, LRH.
(c) Large amounts of non FOI docs.
(d) Operations against any government group or persons.
(e) All operations that contain illegal activities.
(f) Evidence of incriminating activities.
(g) Names and details of confidential financial accounts.

2. Where is Red Box data kept?

(a) Out of date material or finished cycles that can be shredded should be.
(b) Large amounts of red box data that is not needed for day to day function but cannot be destroyed is located with all our NON FOI docs - and can be called for via CIC.
(c) Small amounts of data that must be kept on hand due to security and frequent use - is to be kept in a briefcase locked up - and is to be marked. (In BI office area.)

3. How is Red Box data, kept on BI premises, cared for?

(a) This data will be picked up and carried out of the building by `owner' immediately upon notification of a raid, search warrant etc.
(b) Persons carrying this data (as few as possible) will leave the premises and only return when they have called in and received an "all clear".

(Details of who goes where with what data will be sorted out later - and drilled.)

8168

[EVIDENCE FROM AUTHORIZED FBI SEARCH.]

DG 1 US
8 July 1976
cc: Sec Off
cc: DDGUS
DGUS

GENERAL CATEGORIES OF DATA NEEDING CODING FOR BI

1. Incriminating, undercover activities and the like. This breaks down into the following areas.
    - a. Violations of our status as a tax exempt, non profit org.
        - 1. Evidence of the C of S lobbying.
        - 2. Evidence of the C of S engaging in political activities - proposing legislation, supporting candidates.
        - 3. Evidence of legal or control ties to the B6 groups. Such as a program to get various B6 groups to propose a bill.
    - b. Subversive activities.

      While we do not carry on any of these activities, there would therefore be no evidence of such - we should ensure that we do not word particles in a way that makes it look like we do. This also falls under #4 below.
    - c. BI confidential projects and actions.
        - (a) Disinfo covert Ops etc.
    - d. Money deals that might provoke government tax offices.
        - (a) Large transfer of funds out of the country
        - (b) Missions burying or hiding income, setting up false accounts, using Msn funds to finance a profit making loan company owned by the mission holder, etc.
        - (c) Basically anything that is in violation Of our exempt status as non profit org.
        - (d) Other confidential financial deals as fall into this category of provoking interest in our finances.
2. Some traffic on BI flubs.
    - a. Strategy for handlings.

b. Apparency of violation to the above points.

3. Things that we do not want connected to LRH or MSH. This we handle by coding their names.

4. Words or actions that tend to dispute the fact that the C of S's motives are humanitarian: i.e., harass, eradicate, attack, destroy, annihilate, cave in, entrapment, stir up the opposition.

   a. Most of the instances that would be described this way can also be reworded and not cause any question re our motives. In other cases, say a specific target ...

5. Actions of confidential corporate tax bodies, tax strategy, some BI money CSWS, and occasionally names of accounts.

6. Admission to unpunished crimes and/or incriminating data. This would mostly come on personnel lines. CSWs etc.

7. CONFIDENTIAL, SECRET, etc. TYPE TITLES AS HEADINGS ON PARTICLES.

   For this there is an established code:
   CONFIDENTIAL = FORMAL
   HIGHLY CONFIDENTIAL = VERY FORMAL
   VERY HIGHLY CONFIDENTIAL = INFORMAL
   SECRET = FIRST CLASS
   TOP SECRET = TOP CLASS
   RESTRICTED = LIMITED

   The reason for this is to label a particle as Secret and send it through the mail lines will attract the attention of any Customs inspectors.

8. Another way we catch the eye of Customs is by capitalizing the names of intelligence type groups such as CIA, IP, SECRET SERVICE and names of Government agencies.

   The handling on this is to avoid using the names at the top of the page or in headings, or in paragraph headings. And, typing them in small letters, ip, cia, secret service.

9. When a coded dispatch is sent between orgs all cc's are to be written on the Original but only one copy is sent - to the original. He then decodes the particle and sends cc's to all terminals named on the particle, the same day.

10. Things that we do not want connected to the C of S: Secret PR and BI front groups.

11. Anything that gives actual evidence of Scn being in Legal control of any B6 type groups.

    These groups are

    a) Applied Scholastics

[EVIDENCE FROM AUTHORIZED FBI SEARCH.]

GUARDIAN ORDER
GO 2034
DOs/AGs 17 September
1976
DGIs/AGIs
BrII Dirs BI
SEC OFF

THE CORRECT USE OF CODES

To ensure that coding is done correctly, with the correct subjects coded and overcoding avoided, the following steps are laid down:

Codes are used for the following general headings:

1. Incriminating, Undercover or disinformation, covert operations and the like. Incriminating activities would include things like lobbying where this is inhibited in non profit corporations, also money deals that might provoke government tax offices.
2. Things that we want unknown as connected to' the C of S: secret PR and BI front groups.
3. Legal, PR and BI traffic on BI flubs.
4. Things that we want unknown LRH or MSH connected to - this is handled by coding their names.
5. Words Or actions that would tend to dispute the fact that the C of S's motives are humanitarian: i.e., harass, eradicate, attack, destroy, annihilate, cave in, third party, spreading rumors, entrapment, trap or entrap, stir up the opposition.
6. Actions of confidential corporate tax bodies, tax strategy, some BI money CSW's, and occasionally the names of accounts.
7. Anything that gives specific and actual evidence that scientology is in legal control of B6 type groups. These are groups that are separate legal entities to the C Of S.
8. Admission to Unpunished crimes and/or incriminating data. This would mostly come on personnel lines.

In addition to the above there are certain things that get government Customs upset and more curious about what is in the mail pack. These are such things as "CONFIDENTIAL" "SECRET" "HIGHLY CONFIDENTIAL" "TOP SECRET" HIGHLY CONFIDENTIAL" "RESTRICTED", etc. written across the top of the particle.

To handle the use of confidential, secret, etc., type titles, the following will be substituted:

CONFIDENTIAL		FORMAL
HIGHLY CONFIDENTIAL		VERY FORMAL
VERY HIGHLY CONFIDENTIAL	-	INFORMAL
SECRET		FIRST CLASS
TOP SECRET	-	TOP CLASS
RESTRICTED		LIMITED

[EVIDENCE FROM AUTHORIZED FBI SEARCH.]

GUARDIAN ORDER

GO 1150 7 May 1974
DGs/AGs
DG Infos &
DAG Infos

CONFIDENTIAL

INFORMATION BUREAU STATISTICS

As the above has been the subject of much misinterpretation and misunderstanding the following is issued to clarify the definitions of Connection and Incident.

CONNECTION

A Connection is:

A. Any person or group in close connection to a subject under investigation relevant to the subject's environment in P.T. or at any point in the past (see below),
and

B. Any link, familial, social, economic or professional found between a person of interest to Intelligence or under investigation and any established enemies, potential enemies, the seven areas or key members of the seven areas.
The seven areas being:
1. Press and Media
2. Intelligence
3. Psychiatric and Mental Health Groups
4. Professional Medical Associations
5. Financiers, Banking
6. Public Relations Groups
7. Drug Firms and Associations.

Given that Mr. X is under investigation in category A, connections include:

1. X's immediate family - mother, father, brothers and sisters, children, spouse(s).
2. X's immediate juniors and seniors at work.
3. X's fellow Directors or partners if in a company or business.
4. Any group, society, business, that X is involved in.
5. Fellow members of X in any committees or small formal or informal groups not exceeding 20 in membership (but not all the other members of a large group).
6. Fellow officers of any group X is an officer of.
7. Anyone that X or another describes verbally or in writing as a friend, associate or colleague of X.

[EVIDENCE FROM AUTHORIZED FBI SEARCH.]

GUARDIAN ORDER

GO 907
Those Concerned

22 August 73

CONFIDENTIAL
INTELLIGENCE ESTIMATIONS AND PREDICTIONS

When an agent or operative turns in summaries or documents, those are poured into the main Intelligence Files and any "special tank" that is of current interest.

These main files or "special banks" can be made to operate like computers without the bother of electronic liabilities.

Modified only by errors of concentrated attention where none should be going or omissions of areas that should be under collection, these files or "special banks" will divulge new data.

Here is where we leave the subject of Intelligence Reports (Use HCO PL 25 April 1968, Intelligence Actions) and enter the field of ESTIMATION AND PREDICTION. (See GO 784 Intelligence, Its Role 8 June 1973).

A main file is where everything is filed. A "special bank" is a separate file where data is ADDITIONALLY AND ALSO filed relating to an exact subject.

When filing and cross-indexing is kept up to date (and it always must be) it is now possible to begin the work of ESTIMATION.

This is done by examining the main files and locating the fattest folders related to any one group of subject. Let us say one is just now interested in dog catchers. The cross file index, if properly prepared, will show that several dog catchers are in the main files. One simply pulls their files from the main file, leaving a dummy to catch new filings and to show where the main file is, and makes a "special bank". This is now the Dog Catcher Special Bank.

Now if you look at the above paragraph again you will see that SOMEONE had to say that "we are now interested in dog catchers". This in essence is an ESTIMATION in a crude form. One noticed by general observation that there simply seemed to be a lot about dog catchers lately getting into the main file. So the head of the section being alert decides that there might be something growling in that area. So he rapidly makes up a "Special Bank" of all files that seem to be concerned to some degree with dog catching.

Noticing that we should be looking at these dog catchers is what could be called "flair". It's a "Hey, looking this over we seem to have a lot of dog catchers lately, so I better get some data on them and make an estimation."

No file or computer can actually THINK. It can however be so arranged that QUANTITY begins to show up around certain names and that a casual examination of those names shows they seem to have dog catching in common.

So an Estimator, working the files routinely, having noticed this, would make a "special bank".

The "special bank" is not very elaborate. It can be as crude as simply spreading out the folders on a desk and looking them over FOR THINGS THEY HAVE IN COMMON OR NAMES IN COMMON TO THEM.

It can be as elaborate as making a new card index for every name in those files and what file they came out of; then filing these cards in alphabetical order. As one has taken EVERY name out of each file in turn and put each on a separate card, it is obvious that when one then puts them in alphabetical order, the names in common to two or more files will occur as two or more cards.

If agents are trained to collect all names and connections of names on every investigation and if these names are supplemented by adding in directories, and if filing has been kept up so that a file exists for every name, when you choose files for a special bank they will be the fattest on that subject. And when you work the special bank over again, you will get the precise common denominators of people that run through several files.

You can now say, "Get me more data on Mr. Plow, Mr. Row, Mr. Bow and Mrs. Snap" and when that data comes in (and is added to main files but especially to this "special bank") you will suddenly find yourself expanding ABOVE the level that your special bank was at before. In other words, you have found new horizons.

You will find if you do this that Mr. Plow and Mr. Row are just goofballs or dogmeat sellers, that Mr. Bow died last year and that Mrs. Snap is all you have left.

So we look up Mrs. Snap even further, "Hey, go look over Mrs. Snap again" and we suddenly find she was receiving money for a fund called "Kennel Support" but was actually the head of a dog catcher ring.

We can now PREDICT.

If we are out to handle the dog catchers we will have to work on Mrs. Snap to get her to reform.

We can write up a pgm like this:

PREDICTION: DOGS WILL CONTINUE TO DISAPPEAR.

"The situation is that dogs are getting caught."

"The WHO is Mrs. Snap."

"The following programme based on best advices should be carried out:

"1. Confront Mrs. Snap and get her attitude.........etc".

One needn't elaborate for it is obvious that many ways exist to legally and ethically persuade Mrs. Snap to give up her career of crime.

The tools one is using consist of looking for people or groups that are themselves outpoints. This is about all the relationship this has to the Data Series.

[EVIDENCE FROM AUTHORIZED FBI SEARCH.]

WALK-INS

A walk-in cycle goes generally as follows:

1) You must have a means of access to the building you are interested in. In a government building this almost always means either a government ID (or going in with someone that has a government ID), or an excellent suitable guise. A private building may be as simple as signing in.

   When signing in to either a government or private building, the signature should be scrawled and the destination should not be your actual destination. Except in rare cases it is usually sufficient to say you are going to the library or some such place.

   You should have a story already made up that will be plausible should you be asked what you are doing. This story also has to be very flexible or else you have to have different stories for different stages of the walk-in. A story that you would tell a guard on your way into the building may be entirely inappropriate if you're caught with your hand in the file cabinet. And it will make a difference if the person questioning you is a cleaner, guard, employee, and where you are, what you're doing, etc. So think it out well before you go in.

2) Locate a safe space in the building where you can sit down and relax and talk without feeling paranoid.

   This can be a library table, an empty office - whatever looks good to you, and that you would feel comfortable with. Lots of times in a walk-in you'll have to sit around and wait a couple of hours for your target area to clear out. If you're not comfortable in the area you're waiting in, the rest of the cycle can go pretty rough.

   While you're looking for this space you also have to really assume the beingness of the type of person you're alleging to be. For instance, if your story is that you are an employee of the organization you are in, you have to feel that you are an employee. If a cleaner walks in on you or a guard asks you a question you have to approach your response and manner of response from the viewpoint Of your beingness. If a cleaner walked in on you in your office at the org you'd probably say "Hi" and go about your business. You wouldn't get startled or upset or make some dumb excuse and run out of the room.

3) After you've located a safe space and are relaxed in it you should go out and get familiar with the building.

The first thing you have to locate is a Xerox machine because if you can't copy the documents there's not much sense in being there. Also, you don't want to have already obtained the file and then have to waste time in finding someplace to copy it.

(Note: There is always the alternative of taking the file out of the building to copy. I very seldom do this unless I have to. I much prefer to copy it in the building because you add too much time to the cycle by traveling to another building. You also have to sign in and out again with the guard, which looks somewhat odd to an observant guard.)

Most government buildings have an excess of Xerox machines. They are usually easy to find. Even most private buildings have a Xerox machine in any large office.

You want to choose a machine that is located away from the area that you will be obtaining material from.

In a large government building you simply go to a different divisional area from the target area and find a Xerox machine.

If you're in a private building, chances are there are many different organizations in the building. Go to another organization or suite of offices and locate a Xerox machine there.

Often times you will find the Xerox machine locked. If you are familiar with Xerox machines you'll know where the "Main On" button is.

(Note: It's a very good idea to be thoroughly familiar with all manner of Xerox, SCM, etc., copiers so that you can easily change paper and toner, clear jams, etc.)

It will be protected by a locked cover but should be accessible by lifting up or pulling out a corner of the cover. For instance, on the Xerox 7000 you simply lift up the corner of the cover nearest you as high as you can without binding the cover, and stick a finger (or a long instrument like a letter opener) in and push down the "Main On" button which is located to the front, just a few inches in front of the middle of the machine. Nearly all copiers are accessible with some variation of this, it just takes looking and experience.

Ensure that you can turn on the machine, it works, and that you have sufficient paper. Then leave the machine on and leave the room.

4) Locate the target area. You should already know the room number before going in. Walk past the room, observing

all rooms in the area for any lights or other indications that they are occupied.

If it is apparent that the room, or rooms close to it are occupied, then go back and wait and check again in 30-45 minutes. But don't get into making a lot of trips past the area.

5) When the area is clear then go to the room door and try it to see if it is unlocked.

(Note: It isn't unusual for room lights to be left on and the doors closed with no one in the room. If you have any feeling that someone might still be in a room then go up and knock. If someone answers, open the door and ask them for a match or to use their phone, or some such. Also, use the opportunity to look at the door latch so that you know its configuration.

If the door is unlocked, just Open it and go in.

If it is locked then you have to figure out a way in. The most successful ways of opening a locked door have been variations on the credit card.

This can be used if the latch is slanted or curved going into the door jamb:
[hand-drawn sketch of types of curved latches]

If the latch is straight then the lock will have to be picked.

[hand-drawn sketch of the type of latch that will have to be picked]

If you have a curved or slanted latch (this is the most common type of door latch) and there is no door stop (that

[hand-drawn sketch of door, showing jamb and stop]

strip of wood that the door closes against) then it is a straight in shot with a credit card type tool (a piece of straight sheet metal is best). You just slide the tool in between the closed door and the jamb and slide it up under the latch - the door should open. In doing this it is usually best to pull the door towards you as it relieves pressure On the latch and makes the card easier to slide up. (See page 3a) [?]

If there is a door stop (as happens most frequently) then you can't dust stick a credit card straight In - it has to bend around the corners:

[sketch of door frame showing door, jamb, stop, and where credit card would go]

The best thing is to manufacture a permanent tool rather than trying to bend up cards. You should obtain a thin sheet of metal and cut it out in the following shape:

[Sketch showing shape and dimensions of tool described in text. Shows sections A, B, and C referred to in text below.]

The curved shape assists in raising the latch better than a straight-edge would do. The "b" section should be about as long as the average door stop (about 3/4", but measure it for yourself). The '"c" section should be as long as will comfortably fit into your hand. The "a" section should be about 2-2 1/2" long, but only a portion of it will actually be working on the latch. Note that the slope of the "a" section drops off sharply at the beginning.

This tool is then inserted at the bottom of the doorway, slid up the doorway between the jamb and the door - thus opening the latch. If you have trouble inserting the tool, use your foot and push in the lower corner of the door as far as it will go. This should give you sufficient room to insert the tool. (See pages 4a & 4b).

It should be noted that you will need two tools - one for right hand doors and one for left hand doors.

As with the straight in shot it is usually best to pull the door towards you to relieve some of the pressure on the latch.

Often you will have to move the tool back and forth several times (or more correctly - up and down) to catch the latch correctly, while moving the door back and forth. Its a "feel" thing that you need experience on.

Now very occasionally you find a latch that slants back into the room rather than out - that if you could look down on the latch from the corridor you would see

[sketch of what you would see]

rather than the normal ***[sketch of a normal latch]***.

I have only found that this occurs on doors without stops.

In this case, the tool, or credit card, won't work because the slant of the tool or the credit card is going in the wrong direction. You have to get something behind the latch to pull towards you.

Therefore, you should also carry about a 5 inch strand of *flexible wire. The wire should be woven strands rather than one thick strand. The best I've found is the type of wire used to hang pictures that you can pick up at most hardware or drug stores.*

Take this strand of wire (assuming there is no stop on the door jamb) and bend it in a semi-circle. Slip the wire under the latch and maneuver the top of the wire out above the latch. Grasp both ends of the wire firmly and work it back and forth, pulling both ends towards you - and thereby working the latch out of the door jamb:

[sketch showing door, latch, wire, and door jamb]

You have to be careful not to go too fast on this or you'll slip the latch out of the door jamb and have it slip right back in after the wire clears it.

These methods of opening locked doors have worked about 75% of the time. There are occasions where they won't work due to doors too tight, un-oiled latches, etc.

There are also many odd configurations of latches and it helps to know exactly what the latch looks like. You can often find an unlocked door in the area, examine it (the latch), and try your tool out first on that door to get the feel for slipping that particular type of latch.

You'll also very occasionally run into doors with two locks on it which can be slipped. In this case you need two tools. Insert one of the tools from the top of the door, slip the latch and hold ***[it in place?]. Then insert the second tool from the bottom of the door, slip the second latch and the door should open.***

If a door won't open at all with this method, there is a very good chance (especially in government buildings) that there is a suite of interconnecting rooms adjacent to the room you are interested in. In this case, just try an adjacent door and go through the same routine again. If you have a number of different doors that could lead you to the same room, check the amount of "play" or looseness in each door and try the one that is loosest first.

Also, an old successful action if you know you are dealing with a suite of rooms, is to go into the rooms during the day and unlock one of the locked doors. It is likely that a door found locked during the day remains locked all the time and that other doors in the suite are used as the entrances/exits. The 'locked" door is likely to not be checked each day on the assumption that it will stay locked. The best doors to choose for this are ones that tables, chairs, etc., have been pushed up against, as these doors are obviously not used as entrances/exits.

Of course, when you go into the suite of rooms during the day you should have a well worked out suitable guise that will logically explain your being there, Or you won't get close enough to the door to unlock it unobtrusively.

One such suitable guise that was used involved going into the offices during the day with a clipboard and informing the secretaries that "Facilities Management" needed to check the locks on all doors. We had one door stay unlocked for three months using this technique.

By this time you should be in the office. If you're not, you either need more practice or you'll have to pick the

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lock.

The advantage, by the way, of slipping a latch as opposed to picking a lock is

a) to slip a latch takes 2-10 seconds compared with at least several minutes to pick it (unless you're very good), and

b) you don't need as much training and experience.

6) Once inside the office you have to locate the file you are interested in.

Most often the file will be located in a file cabinet and probably 50% of the time the cabinet will be locked.

As soon as you run into a locked file cabinet, immediately check the top middle drawer of every desk in the area of the cabinet and you'll almost surely find the key. If you can't find the key there, you'll have to search more thoroughly in different desk drawers. These keys have also shown up in file card boxes, taped to the cabinet, and locked in safes. But, I have never found a locked file cabinet and not been able to find the key in the room.

Combination safes occur infrequently. Like file cabinets, the combination is almost always laying around somewhere in the room. Again, check the top middle desk drawers of any desks in the vicinity of the safe, looking mainly for an index card sized piece of paper with the combination listed under "safe", "file", and "lock" , but oddly, never under "combination". If you don't find it there you'll have to do a thorough search of other drawers and desk areas. There has been only one occasion where we weren't able to locate a safe combination - they are pretty easy to find.

Also, make sure that you know how to dial a safe combination. The most normal are 4 turns left (this is actually three times past the number and the 4th turn stops at the number), 3 turns right, 2 turns left, and one turn right to zero. You then turn the inside knob of the dial all the way to the right while holding the dial at zero:

[sketch of combination lock dial and inside knob]

When this is done then turn the dial as far right as it will go and the safe will open. On safes with no inside dial, just don't stop at zero. Go all the way to the right on the last turn and the safe will open.

When you're finished with the safe make sure to set the dial back where it was before you opened it.

By going through the file cabinets, safes, desk drawers and desk tops you should now locate the file you are looking for.

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One point to keep in mind while searching for the file is to keep the area (and the file when you find it) free of fingerprints. Optimumly you should wear gloves. If this is not possible and you have to touch something, do so with the sides of your fingers or make sure that you smudge the prints. Prints can be easily smudged by giving your fingers a half turn as you withdraw them from the surface.

When you locate the file(s) put them in your briefcase.

On your way out of the room, if the door was locked when you went in, make sure that the door is now unlocked as you'll want to get quickly back in when you return. There are normally buttons on the latch plate of the door that push in and out:

[sketch of latch with buttons to lock and unlock the door]

Push in whichever button is out and check the outside doorknob to be sure it is unlocked, and then leave, closing the door behind you.

One other point when going into the room - often you will be working at night and you'll need a source of light. It is inadvisable to turn on lights unless you are thoroughly familiar with the area. You have no way of knowing who can see them especially if the office has an outside window. Instead, you should carry some type of small penlight flashlight. The batteries in these usually wear out after 30 minutes or so, so make sure you have sufficient batteries with you.

7) Return to the Xerox room you originally picked out (or, if absolutely necessary, go to an outside Xerox machine).

It is best, if possible, to lock yourself into the Xerox room so that no one can easily walk in on you unexpectedly.

One person should Xerox while the other person puts the material back in the file, therefore, start Xeroxing from the last sheet in the file folder.

You have to keep the files and papers clean of prints, so, if at all possible, wear gloves. If this can't be done then make sure you handle all pages with the sides of your fingers and your palms. This is easy to do after you get used to it.

Usually there is a title written or typed on the file folder. This should be Xeroxed also so that you can keep the files separated.

If this is an "active" area - i.e. there is some type of current case going on and new material will be added to the file, it is wise to put a small pencil mark (inconspicuously) on the latest page in the file that you copy so you'll know where to start next time. Also, if there are a large number of separate files, you should mark them also inconspicuously so that you will know they have been done should you or someone else have to come back again.

Although I have never found it a problem, you should know that there is an internal counter in virtually all copying machines that will record the number of copies you make.

Also, once I ran across an agency which issued counting device to their employees as an economy measure to cut down on the use of the Xerox machine. These devices are rectangular in shape - metal cases about 4"x2"x3/4" - that have a counting mechanism showing through the front "window" of the case. Without having one of these devices you can't operate the Xerox machine. To operate the machine you place one of these devices into a rectangular hole on the control panel of the machine and when so placed, the machine will operate (after it is turned on, of course).

If you run across this situation you'll have to search the deck tops and drawers in the vicinity of the machine to find one of these devices. This should be done before you search for the file(s).

When you finish Xeroxing make sure there are no copies of yours or of theirs in the machine, and turn it off.

(Remaining lines illegible)

PLAN FOR DISGUISE

To create the image of an aging guy wanting to look hip as a means of regaining his youth a bit.

Mock-up would be as follows:

1. A somewhat mod wardrobe, bright colors, open necks, necklace, rings on fingers, cigarette holder, tan.
2. His head will be shaved and then NAIR'd to create "bays" and the impression that he is partly balding. This would involve shaving and plucking to create bays and then using Nair on bald area and using a sun lamp.
3. The contacts would be rechecked with the doctor who gave them out to see if they can be worn more often and for longer periods - debug. If not different frames would be gotten for his glasses.
4. His tooth would be capped.
5. He would lose some weight (or gain it) as he wished. Preferably lose some weight.
6. His eyebrows would be lightened and plucked. His hair done a light blonde, side burns grown a different length.
7. Earth shoes would be gotten to change the posture.

These are the contemplated changes for Jeff.

["WALK-IN" DRAWINGS PAGES]

[next page is a full-page drawing, showing wall and door, with the following instructions]

Push here with a foot to get extra room to insert tool.

Once the tool is in position then slide it up the side of the door/door jamb to the latch.

Use this extra space to maneuver the tool between the door, the stop and the door jamb.

[Next Page]

[full-page drawing, view from above of door, latch, door jamb, and credit card, showing where to insert the credit card]

The credit card is simply inserted in the space between the door and the door jamb and used to slide the latch out of the door jamb, working on the slanted part of the latch.

[Next Page -- handwritten "Page 4b"]

[full page drawing, showing detail of how to use homemade tool to force door latch]

Front and top view of how the slanted tool works on the latch. As the tool is moved upwards, it forces the latch out of the door jamb.

Local paper cover

1. Minimum requirement -- 1 weekly column of about 500-600 words typed double space (format attached) delivered personally on Monday afternoons to managing editor. Plus visiting with Managing editor and keeping in comm with him.

2. With this in it is easy to have paper send in forms to get DC Police Dept Pass.

3. You can then visit the State Dept. correspondent's association and for 10 dollars join.

4. You can then put in for a state dept. ID which will give access to state dept. building 24 hours a day and will serve as a government ID giving access to many other buildings -- including Treasury Dept.

[several lines are blacked out]

6. You can put in for congressional gallery passes but do not under any circumstances put in for White House Press credential as this will put you under scrutiny of Secret Service and into their computer files.

6. Press ID is strengthened by articles published. Typical sequence, do interview for data, assess where person at, white article which furthers what they would want to see furthered, get printed in paper, clip out two copies, paste them on paper with masthead of paper and deliver or send them to person interviewed -- this will virtually assure future access as it keeps exchange in.

7. Police press card good in many areas even in other cities. Be sure you know address and telephone number and that circulation of paper is 20,000 and that it is a community newspaper and a weekly. It is well worth indicating that the paper is not an underground paper as the name tends to imply this and put people off.

8. One side use of ID is that you can do favors for people -- i.e. senate aide needs to check on something, having trouble easy enough to get data and give it if it will strengthen comm line, etc.

9. Press ID can also be used to get complementary tickets to various events and entertainment, give free access to conventions and annual meetings (ex HAMH convention, etc.)

10. Remember that ID a valuable resource not to squander or unnecessarily put it at risk.

SUITABLE GUISE I/C

Suitable guise I/C is responsible for the supervision and completion of suitable guise research assignments.

This includes government interviews, telephone survey's and interviews and any activities which would go into building the cover required.

Responsibility extends to the following areas:

1. Receive duplicate pgmn pjct and orders for suit guise research.

2. Plan out how they will be carried out as rapidly thoroughly as needed while maintaining security for both the investigator and the Church. The church at all times, the investigator at all times unless the situation is of sufficient urgency as to demand the sacrifice of a previously developed cover.

3. Assign personnel to carry out work or do it self if no personnel available.

4. Recruit suitable guise FSM's.

5. Hat them.

6. Recruit staff for same and hat.

7. Plan out and keep in ongoing programs to build a variety of useful suitable guise covers.

8. Be constantly alert to demands of security so that security is maintained

9. Ensure that there is a compartmentalization of covers used so that the blowing of a single cover will not jeopardize suitable guise activities in your area.

10. As a warning note if you do have to get involved in broad (national) type cover activities make very sure that the personnel on them have some sort of backup cover and that the national type cover is used a supplement to activities and that the personnel that work on it are kept apart from the others as NATIONAL TYPE COVER OPERATIONS ARE HIGH RISK OF EXPOSURE DUE TO THE NUMBERS OF TERMINALS INVOLVED AND THE AREAS THEY MUST COVER AND THE BROAD DEMANDS TO WHICH THEY ARE OFTEN SUBJECTED.

11. As a present ongoing program maintain the liaison with the local paper and ensure that there is at least one staff member equipped with good press ID. Work to maintain and improve that staff members press cover with membership in Capital press club, contacts with other papers, articles written and printed, weekly column done, etc.

Another thing that excites government Customs is the names of intelligence type things such as CIA, IP, Police, Secret Service and names of government agencies within the country concerned. This is best handled by avoiding the use Of such names at the top, or in titles of dispatches or issues dealing with these, or in prominent places where the name stands out in the issue such as paragraph headings. When naming such issues in the body of a sensitive issue do not capitalize the issues of names as this makes them less eye catching, i.e., cia, ip, police, secret service.

When coded dispatches and reports are sent between Orgs all cc's (carbon copies) are to be written on the dispatch, but only one copy is sent and this is to the person being written to. This person is then responsible for getting the dispatch decoded, at the latest that same day, and distributing the decoded version to all the persons named as cc's.

The Security Officer of Branch II Dir. is to ensure that all GO (Guardian Office) staff are made familiar with the above points and that coding is being done correctly and comm lines are not being tied up with unnecessary coding.

The Security Officer or BrII Dir. is to sort out what actions would fit in with categories one and seven. This is' to be done in association with Legal. This Guardian Order is not to be distributed to staff when making them familiar with what Should and should not be coded.

Dick Story
Security Officer WW
for Hermann Brendal
Int'l Dir Sec WW International)
for Mo Budlong
DGI WW
for Jane Kember
The Guardian WW

Glossary:
DG's/AG's = Deputy Guardian's /Assistant Guardian's
DGI'a = Deputy Guardian's Intelligence
SEC OFF = Security Officer
C of S = Church of Scientology
PR = promotion
BI = Bureau Intelligence
LRH = L. Ron Hubbard
MSH = Mary Sue Hubbard
CSW's = completed staff works (reports written up)
GO = Guardian's Office
cc's = carbon copies

B6

IP

Br II Dirs BI =

[EVIDENCE FROM AUTHORIZED FBI SEARCH.]

INTELLIGENCE

Intelligence is mostly the collection of data on people which may add up to a summary of right or wrong actions on their part.

It is basically a listening and filing action. It is done all the time about everything and everybody. Then one day some random data make a summation that can be used. "It all adds up." But if one never collected data, there would be nothing to add up. Hence, intelligence consists of noting data about the activities of people from all kinds of sources. Joe is now working for the Daily Worker. The State Department won't grant Pete a passport. Isabel left Texas owing money. It's all grist to the mill of intelligence. Carefully remembered or filed and cross-indexed, such data tells its own story some day. If we had a folder for Joe, we'd scribble on a slip of paper, "Works now (1959) for Daily Worker - a Communist paper". A few weeks later, another scrap of paper is dropped in: "Taking B. Scn. Course Feb. 59". A few months later: "Foe moved in to live with Pete". We look up Pete. Obviously, Pete is a Commie as he can't get a U.S. passport. September 1959 we learn that Joe is asking for a job in the Senate Office. We promptly tell Seattle, "Rat-poison. Forget Joe.

If we kept files like that we'd keep them like that. Some day we may have to. Today we do it by memory. So we listen. We add up associations of people with people. When a push against Scientology starts somewhere, we go over the people involved and weed them out. Push vanishes.

Using intelligence to tell our friends from our enemies and acting fast is why we have stable organization now where he had shambles before. It isn't better organization so much as more peace bought by more alert intelligence. We know our enemies before they hit. We keep them out of important positions. When we accidentally put one into a key post and he starts to flub, we shoot quick and get judicial afterwards. And we then add up who his friends and associates were.

Intelligence alertness, even when we have no files, pays off in peach, growth, and progress.

APA and OCA graphs tell their stories on people. Only the ones whose graphs don't change under processing have been found to be real menaces to Dianetics and Scientology. They have overt acts and bad intentions against us the they can't talk to the auditor about them, they feel. So they're hanged. Every one of twenty known cases who were evidently paid money to smash Dianetics or Scientology organizations, including Hart, Purcell, and Van Vogt, had hung graphs. No change occurred in any of these cases for five or more years of known activity, despite all processing! So an unchanging profile over years of processing almost adds up to "dangerous person - has bad intentions toward Dianetics and Scientology.".

Conversely, people who benefit from processing or auditors who get consistently good results on preclears never get snarled up enough to attack us. Therefore intelligence has its bright side. By facts heard plus profiles seen, we know our friends.

Intelligence is therefore that activity which collects data and keeps it adding up so that we know our foes from our friends and so that we can act to separate out the sources of trouble in any given situation.

Organizations with bad consciences usually look on HCO personnel as intelligence people. So HCO personnel might as well realize it, too. One small HCO hat is intelligence - know our friends and our enemies and what they are doing.

INVESTIGATION

When things go wrong and we don't know why already by intelligence, we resort to investigation.

When we need somebody haunted we investigate.

Investigation is the careful discovery and sorting of facts. Without good investigation we don't have justice, we have random vengeance.

When we investigate we do so noisily always. And usually mere investigation damps out the trouble even when we discover no really pertinent facts. Remember that - by investigation alone we can curb pushes and crush wildcat people and unethical "Dianetics and Scientology" organizations. It's almost funny. We sometimes learn nothing useful and yet because people heard we were investigating their consciences sent them into headlong flight or sudden collapse. There's power in the question alone!

Here is an example. There's bad morale in a central organization. We don't know why. We try everything we can to up units and ease difficulties and yet there's bad morale. So we investigate noisily. Remember, intelligence we got with a whisper. Investigation we do with a yell. Always. Modern copy don't really know this. They investigate with whispers. Doesn't pay. Why sneak up when pouncing is the only thing that serves us? After all, if it hasn't been whispered to us already and we have to investigate, why keep whispering?

In the low morale matter, we think over the most likely suspects and summon them to see us. We ask them why they're talking the way they are. What's wrong anyway? We call them in one at a time. We use the E-meter. "What have you been doing to us?" And you sort it out.

Investigation to us in Scientology is a fine art. It's like auditing. If they won't take a meter test, you know they're guilty. If they do, you can watch that needle dip a "Yes" every time you're right even when the suspect won't say anything verbally. You generally find that Joe is hoping to start a clinic in the town and thinks of the organization as a rival - if the central organization got knocked out, this knucklehead thinks, he'd be all set. So he's been discouraging staff and starting rumors in the town.

Did you ever realize that any local viciousness against Scientology organizations is started by somebody for a purpose? Well, it is. Look at what we do. Look how dedicated staff is. How hard they work. And yet somebody feels we're evil? No, rumors aren't "natural". When you run them down you find a Commie or a millionaire who wants us dead and his own clinic up or a group member who is also a member of the R.C.

You don't rest when bad rumors are about. You investigate, you run them down. You find amongst all our decent people some low worm who has been promised high position and pay if we fail. Don't discount this. In one instance $500,000 was paid in cash to a man to wreck Dianetics. He almost made it. Wichita Kansas, Spring 1952. (But by intelligence and investigation we cost him his shirt and his spare vest as well.)

In cross questioning people, it is as valuable to know what they've been told as what they've said. "What bad things have you heard about the HASI?" and "What have you said?" are the usual questions. When you get on a line of data follow it right through.

Get the names. Write them down as you get them. Sort them out with what you already know about them.

[EVIDENCE FROM AUTHORIZED FBI SEARCH.]

TO: All Bureau Four offices in the US
From: USGO Bureau Four

THE "SOURCE FILE"

SOURCE FILE - definition - a practical, easy-to-use, record of standard sources which produce standard information; and is set up in the following manner: "This is a file similar to the card directory in a library. Three 3 x 5 index cards should be made out for each source of information and cards should be filed under three separate headings. 1) type of information available; 2) name of organization or record; 3) name of individual who can supply the information. If one organization has available different types of information, there should be a separate card filed for each type. It is a mistake to attempt to rely on memory to keep track of many sources of information and jottings on scraps of papers or notes in a pad or notebook are seldom worthwhile." (quote from "Investigations HAT", by D/G Info US)

Each Bureau Four office should have a Source File.

Following is a list of standard sources and types of information which should be in each Bureau Four's Source File. Much of the following is based on experience in California, and therefore you may find some variations in your area. However, most of these items are in the realm of public information and should be available in your area.

1. LAW SUITS: There are often several areas where these are kept in government offices for different types of law suits. The city and county often keep separate records for their respective jurisdictions. You should find out where all the different indexes are located for the various types of law suits. Also many cities have federal suit indexes. You should know where divorce cases and civil actions are indexed, to name a few.

   Often time an order will come down to check out the general background of an individual. Law suits is an area which should always be checked, so you must know where the Indexes are kept for all the different types of law suits, so you can check a person out for the past 20 years.

2. AUTO LICENSE RUNDOWN: This is a service whereby you give the correct agency a license plate number and pay a certain fee, and they will tell you who owns the car, who finances the car, and vital statistics about the car. In California this is done by the state department of motor vehicles.

3. DRIVERS RECORD: This is a service such as in #2, whereby

you can gain information about a persons driving history, such as tickets, restrictions on his license, etc. In California it is done through the same agency as #2.

4. MARRIAGE, BIRTH AND DEATH CERTIFICATES: These are often located in the same area, like the Dept. of Health, or Bureau of Vital Statistics, etc.

5. INCORPORATION PAPERS: All organizations, profit or nonprofit, usually have to file their existence with the state government. (often the Secretary of State) These Incorporation papers are for public view and copies are available for public purchase. The papers usually state the purpose of the organization, its bylaws and lists the officers or directors of the group.

6. PROPERTY RECORDS: These records usually list people who have bought or sold property. By checking these indexes you can find out if the subject has had property dealings over the years. These are often kept in city or county offices.

7. CREDIT CHECKS: Often large city libraries, in their business section, collect the Dunn & Bradstreet credit checks on various businesses. Some Bureau Fours have made their own contacts with commercial credit firms to get credit reports on individuals and businesses. These will often give valuable financial info on the subject.

8. AUTOPSY OR CORONER'S REPORT: Usually obtainable through the county health dept. Gives detailed information on dead people of interest.

9. CRIMINAL RECORDS: These are often indexed by the persons name as with law suits. The records are often separated into the felony and misdemeanor classifications. You should locate the indexes or any other method available for checking a person's criminal record over a 10-20 year period.

10. BUSINESS LICENSES AND PERMITS: Many types of jobs require a person to file for a permit or trade license with the city, or sometimes the county. Some jobs entering into this category are: barbers, taxi drivers, bars, private investigators, etc. just to name a very few. These are often filed in the city tax and permit dept. You should find out where these records are kept in your area and make note of all the types of jobs which need to file for permits. Thus if you are investigating a barber, you will know that you can go down to this city dept. and get some data on him.

11. REGISTRAR OF VOTERS: As you know, citizens must register in order to vote. These registration papers are public record. Registration forms have changed over the years but they will often tell you the person's social security number, where he was born, how tall he is, his...

12. CIVIL SERVICE EMPLOYEES: Your city and or county offices will have what is similar to a business personnel office where you can call to see if a person is in the employ of the city or county, and what his post is.

13. CITY DIRECTORY: This is a directory much like a telephone book, and is commonly mistaken for one. However, the city directory is put out by the city itself, not by the phone company. The city directory often will list a persons job next to his name, like: "Jones, Bill Pres. of Hog Manufacturers Inc." Also many city directories will have a reverse directory whereby you can get the name of a person and the phone number when you only know the address. City directories can almost always be found in the local city library. Many large cities no longer produce city directories, like New York.

14. REVERSE DIRECTORY: Many companies produce reverse directories such as thus described in #13. The most well known company which does this is Polk Bros. These are usually in libraries and are different from the city directory.

15. BANKRUPTCY PAPERS: These and their indexes tell you if a person has filed bankruptcy. They are often filed in federal offices or the federal courthouse in your area.

16. FIRE AND ARSON REPORTS: These are standard report forms filled out by the fire dept. anytime there is a fire. Arson reports are often filed separately from regular fire reports.

17. INHERITANCE AND GIFT TAXES: Find the local govt. dept. which handles this area. You can obtain information dealing with wills, inheritances, etc. on a subject. If there are any court cases involved with an inheritance such files would be found in the probate court, which is one of the categories which would fit in #1 - law suits.

So these are some of the basic areas which should be covered by your source file. The 17 items listed above point out some specifics and some general areas. A Source File done correctly on the above items would have more than 17 entries, for instance under law suits you should have separate entries for "civil suits", "divorce cases", "probate cases", etc.

So, you see, the Source File is invaluable. Imagine keeping all this data in your head!

The Source File should also be seen as a major portion of the Investigation Section's HAT. It is continuously expanded and kept up to date. And it is constructed for easy use by Investigations personnel. It explains itself, you don't have to tell each person where to go to get an incorporation paper each time you need one. It's all there in the Source File.

The 17 items listed will give you a good basic start. There is no way for Bureau Four US to tell all Bureau Fours what to put in their Source File. The variations and possibilities are infinite, and different states and cities have different ways of doing things.

The Source File will cut your investigating -man-hours down, and will help to increase the speed of your investigations.

Love,

Greg Willardson

Dir. of Investigations US

for

Terry Milner

D/G Information US

P.S. If any of the above items are not available to you in your area, you should make a note of such in the Source File. For example if auto license rundowns cannot be done in your state, your Source File index card on "auto licenses" should say: "a rundown on Arizona license plates is not an available service in Arizona", etc.

CONCLUSION

"If you fail to fight for justice soon you will be fighting for survival."[57] With Scientology you get to do both!

THE PRECEDING INFORMATION ON SCIENTOLOGY'S ACTIVITIES DISCLOSES THE TRUE NATURE OF WHAT MOST OF THE LEADING CULT EXPERTS CONSIDER THE "WORLD'S MOST DANGEROUS AND DESTRUCTIVE CULT."[58] TO DATE, SCIENTOLOGY HAS NOT BEEN DETERRED OR EVEN SLOWED FROM CONTINUING ITS HIGHLY PROFITABLE CRIMINAL OR ANTISOCIAL ACTIVITIES. IT HAS NEITHER "CHANGED ITS STRIPES" (ACTUAL NATURE), NOR ITS REPEATED APPLICATION OF ITS NOTORIOUS FAIR GAME POLICY.

Anyone paranoid of Scientology is not paranoid.[59] The threat is real if you are an important target. Scientology has definitely not "cleaned house" nor are its infamous activities "ancient history and have no relevance to the present time."

Scientology's modern multiple strategies of total covert and overt psycho-terrorism and legal brutality are often more effective in silencing and stopping current adversaries, and in building legends to discourage future adversaries, than traditional physical terrorism, i.e. assault murder etc. There are many things a person fears more to lose or live through than just death or physical injury. *Scientology's bully style legal brutality and psycho-terrorism finds those things and uses them.*

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[57] Author unknown.

[58] Scientology and Dianetics earn this title because of 1.) Its size, international scope, and an estimated 300-500 million a year in income, 2.) the effectiveness of its sophisticated second-generation thought reform programs which are used to gradually convert its members into inner circle zealots and covert operatives, (See appendices called Scientology's History of Criminality and Coercive Persuasion and Scientology,) 3.) Scientology's terror tactics and other secret policies, and 4.) the actual secret nature of what Scientology is as opposed to what it tries to deceive the public into believing it is. In all of the included appendices it readily becomes clear that Scientology and its feeder organization Dianetics are potentially as dangerous and volatile as the Jonestown and Branch Davidian groups and possibly, in some ways, more dangerous and volatile.

[59] Individuals who have to deal with being a target have developed procedures of their own to deal with legitimate risk assessment. The process partially involves the three occurrence system. In this system the first time something happens in your environment you notice it. The second time something similar or connected happens you notice it a little more closely (but it still may just be a coincidence). The third time you do a careful and full investigation. The third time something happens mathematically is highly unlikely to be a coincidence. This procedure keeps one reacting to the actual harmless coincidences that happen life.

> "In reality the church is a hugely profitable global racket that survives by intimidating members and critics in a mafia-like manner."
> (Time magazine May 6, 1991.)

If Scientology's ruthless, in-and-out-of-the-courtroom tactics which judge James Kolts called a "cynical and unfair use of the judicial system."[60] go unchecked and continue to be successful in intimidating judges, opposing attorneys, witnesses, the media, and members of our justice protective agencies, and sealing hard won court cases it is likely that in the high profit world of national or international corporations, others may also soon begin to recruit and set up their own full intelligence agencies with open ended budgets and imitate Scientology. Why not? To date Scientology has been relatively successful with its "legal brutality" practices in either crushing adversaries, sealing indispensable information, or deterring, eliminating, delaying, or limiting consequential corporate liability.

Joe Yanni was a key attorney working for Scientology until 1987. He defected from the Scientology's legal team when he says he was asked to help church officials steal medical records to blackmail an opposing attorney (who was allegedly beaten up instead, Time magazine May 6, 1991).

From his experience inside Scientology, Joe Yanni now believes the church *"has so subverted the justice and judicial system that it should be barred from seeking equity in any court." Since Yanni quit representing the church, he has been the target of death threats, burglaries lawsuits and other harassment.* [61]

"Scientology critics contend that the U.S. needs to crack down on the church in a major organized way. "I want to know where is our government?" demands Toby Plevin, a Los Angeles attorney who handles victims. It shouldn't be left to private litigators because God knows that most of us are afraid to get involved. "(From the May 6, 1991 Time Magazine article.)

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[60] From The American Lawyer article, "The Two Faces of Scientology," by William Horne, July\August 1992.

[61] *From Time magazine's May 6, 1991 article.*

Any organization with Scientology's criminal history and policies of abusing First Amendment immunities,[62] with near unlimited funds [63] to accomplish its ends through cocaine warlord-like terror tactics, intelligence technology and "legal brutality" both inside and outside the courtroom, will put our entire system of justice in actual peril!

> "Scientology is both immoral and socially obnoxious... it is corrupt sinister and dangerous. It is corrupt because it is based on lies and deceit and has its real objective money and power for Mr. Hubbard... It is sinister because it indulges in infamous practices both to its adherents who do not toe the line unquestionly and to those who criticize it or oppose it. It is dangerous because it is out to capture people and to indoctrinate and brainwash them so they become the unquestioning captives and tools of the cult, withdrawn from ordinary thought, lining, and relationships with others." Justice Latey, Ruling in the High Court of London
>
> "Scientology is evil; its techniques are evil; its practice is a serious threat to the community, medically, morally, and socially; and its adherents are sadly deluded and often mentally ill... (Scientology is) the world's largest organization of unqualified persons engaged in the practice of dangerous techniques which masquerade as mental therapy." Justice Anderson, Supreme Court of Victoria, Australia.

Scientology is an organization with no reputation or credibility because it will say anything or do anything to win. It has not gotten better it since its cosmetic change. It has gotten more secretive and worse and it continues to recruit and retain individuals in the key positions who are and reflect Scientology's true nature. The reason it has gotten worse and will continue to deteriorate is that:

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[62] For details on other similar circumstances which were never envisioned by our constitutional forefathers when they established these immunities for bona fide religions over 200 years ago (such as an intelligence agency operating under the cover of a religious organization or an organization claiming religious sanctuary performing thought reform/coercive persuasion experiments on the public without their informed consent), see particularly, Respondent's Supplemental Brief of November 16, 1990 in Church of Scientology v. Wollersheim, U.S. 89-1361, p.3-4 regarding Scientology's violation of the voluntarism principle. Also see Appendices 1,2 and 3 of same document. For more detail on Scientology's paradoxical twisting of First Amendment religious immunities see Larry Wollersheim v. Church of Scientology of California, Petition for Writ of Certiorari, U.S. 89-1367, p.11-25, Respondent's Reply to Brief in Opposition of April 7, 1990, Appendix A in the Church of Scientology v. Wollersheim, U.S. 89-1361. Also see the other appendices of this document.

[63] The current Wollersheim case is estimated to have cost Scientology somewhere between 50 and 70 million dollars over the last eleven years. Scientology's attempt to overwhelm the justice system with money against adversaries often of blue collar asset availability, also underscores the difficulties Scientology presents in preserving fairness and equitable treatment when using the justice system. Wollersheim's 6-month Los Angeles trial was described by superior court staff as one of the most costly and security-intense in Los Angeles history. (see article on trial demonstrations in appendix A.)

1.) It refuses to stop acting directly and indirectly in immoral, outrageous, and criminal way because it refuses to completely and honestly reject the policies that command, imply and create such actions. And, the reason it refuses to truly and completely reject those policies is because to do so they would have to publicly and openly renounce and reject the psychopathic personality who created such inhumane and barbaric policies in the first place, L. Ron Hubbard. Scientology is incapable of doing this because the whole structure of Scientology is built on the infallibility and tremendous "wisdom" of Hubbard.

2.) It refuses to take its just punishments for past and present wrongdoing. It cannot be wrong because Hubbard cannot be wrong --- so it is trapped in the cage of its own dwindling spiral. Because it is so trapped, its delayed punishment continues to grow and correctional worldwide pressure from former victims builds.

Scientology seems to have no allies except individuals or organizations it pays or organizations carrying on similar activities. Its activities have angered even common taxpayers who read about its base abuse of the religious privledges. The single thing that makes Scientology's activities so despicable to anyone informed about Scientology is that Scientology perpetrates them under the guise and protections of a church. In so doing it would be hard to find anyone who reasonably would believe their tax dollars should continue to go to defend Scientology's illegitimate religious status.

In 1982 at the Supreme Court of Victoria where religious status was denied during its Board of Inquiry into Scientology, Australian Justice Brookings made a telling closing statement that continues to be a harbinger of the Scientology phenomena.

> *" ...it is nonetheless clear that the teaching of Scientology and the practice of Scientology will result in the commission of many offenses and may well result in the commission of many others...*

"The only thing necessary for evil to triumph is for good people to do nothing." (Author unknown.).

Clearwater Sun, January 24, 1984

PRIOR SECT TRY AT JUDGE REPORTED

By GEORGE-WAYNE SHELOR Sun staff writer

A current probe into a suspected 1982 extortion plot by the Church of Scientology to corrupt a Tampa federal judge might not be the first time law enforcement officials. have investigated the sect's efforts to compromise a U.S. magistrate presiding over a Scientology trial.

In an article titled "Scientology's War Against Judges." which appeared in the December 1980 issue of The American Lawyer, author James B. Stewart Jr. details the sect's efforts to complicate, delay and quash the trial of 11 Scientology defendants charged with spying, wiretapping and breaking into government offices.

The U.S. Attorney's Office in Tampa currently is investigating a purported plot involving an attempt to lure U.S. District Judge Ben Krentzman aboard a boat off the Pinellas Suncoast where prostitutes and drugs were to be used to put the judge in a compromising position.

At that time, Krentzman, chief judge of Florida's 32-county Middle District was presiding over the Tonja C. Burden vs. the Church of Scientology case in which Miss Burden was seeking $16 million from the sect, claiming mental abuse, brainwashing, imprisonment and fraud, according to public records. The trial is, to date, unresolved. and Judge Krentzman has retired.

Through several confidential sources, the Clearwater Sun has verified the current federal probe, **although as of Monday, U.S. Attorney Robert Merkle would neither confirm nor deny it.**

But four years ago in Washington, D.C., a U.S. District Court judge stepped down from a federal criminal conspiracy trial involving the controversial sect.

Stewart presently a staff writer with the Wall Street Journal, was for three years a practicing attorney and, at the time he wrote the article about the trial, a senior editor at The American Lawyer.

In his report, Stewart described the intensive campaign by Scientology attorneys to discredit and cause to resign from the case three judges over the duration of the trial.

The trial of the 11 defendants began Aug. 15, 1978. The group of Scientologists was indicted on a number of federal charges. including obstruction of justice. The first two judges assigned to the case--D.C. District Court Judge George Hart Jr. and Judge Louis Oberdorfer--stepped down during the course of the protracted proceedings, bowing to defense motions for dismissal.

Shortly after Feb. 5, 1979, when Oberdorfer stepped down, the case fell to Judge Charles Richey, a jurist with a respected national reputation. The Scientologists initially were pleased with Richey's appointment, saying as much in when the trial moved back and forth from Washington, D.C., to Los Angeles to accommodate witness's testimony -- they apparently became displeased with several of Richey's rulings, Stewart said, adding that at one point, attorneys for the sect filed a motion asking the judge to disqualify himself from the case. Richey dismissed the motion.

By June 1970, according to Stewart's report. defense council were ready with another dismissal motion, one which was damaging and threatening to Judge Richey. The groundwork for that motion, Stewart wrote, had been laid nearly a year before, shortly after the hearings in Los Angeles.

According to Stewart's published report:

During the summer of 1979. a Scientology lawyer paid a private detective named Richard Bast

$321,000 plus expense to investigate Judge Richey's security precautions. One of the detective's first steps was to infiltrate Richey's inner circle at the courthouse.

Several of Bast's employee's befriended Richey's court reporter and tape-recorded several conversations which were the basis of the most recent dismissal motion. Some Scientology lawyers, however, thought the strategy had "gone too far" and withdrew as counsel.

Although the motion noted a number of reasons defense lawyers believed Richey was prejudiced -- including Richey suspecting the sect was spreading rumors about him as part of a "plot" to discredit him -- it failed to detail the alleged rumors about the judge, citing "respect for the court as an institution."

Bast, the detective, had secured damning information about Richey's personal habits, and when it was not included as part of the motion, he gave it to political columnist Jack Anderson.

Bast showed to one of Anderson's reporters a video recording, during which the prostitute recalled "in titillating detail" her encounter with Judge Richey and his procurement of her services. Bast also provided a lie detector test indicating the prostitute was telling the truth, and a statement from a U.S. marshal who had guarded the judge claiming Richey said, "Let's go get a woman."

Also made available to Anderson's reporter was a tape recording of Richey's court reporter purportedly saying the judge "was always picking up girls."

After Anderson's syndicated column detailing Richey's alleged procurement of a prostitute was sent to newspapers July 11 (for July 18 publication) the court reporter denied the remarks attributed to him. The Sun was unable to contact the U.S. marshal involved.

On July 16, Richey issued his opinion on the case. Apparently referring to the upcoming column (which he knew about from reporters' calls), Richey called the dismissal motion "the latest effort in the escalating attack on the court" and said the motion was based on "hearsay, rumor and gossip."

Richey continued, admonishing the defendants and their counsel for their "groundless" attacks on his character, by saying that the proceedings had been turned "into a trial of this judge."

In a state of exhaustion and near-collapse, the 58-year-old judge withdrew from the case. On July 18, Anderson's column appeared in newspapers nationwide and five days later, Judge Richey was hospitalized for treatment of two pulmonary embolisms.

His ordeal may not be over, Stewart's report states. Scientology attorneys said the prostitute affair "is only the tip of the iceberg," and if necessary would expose additional damaging testimony.

Ultimately, all of the defendants, including Scientology founder L. Ron Hubbard's wife, Mary Sue, were convicted of the federal charges.

Stewart, contacted his New York office, said he developed his story from "court records ... and my own interviews.

"I spoke with the prosecutors (of the case) and I did a lot of legwork" on the story, which he says is completely factual.

Judge Richey has recovered and is still on the bench of the Washington, D.C., district. Contacted at his chambers, the judge declined to comment for the record on the allegations, the Jack Anderson column or the substance of the story.

Clearwater Sun Managing Editor Sam Fenton contributed to this report.

The American Lawyer, December 1980

SCIENTOLOGY'S WAR AGAINST JUDGES

BY JAMES B. STEWART, JR.

On September 5, 1980, as U.S. District Court Judge Charles Richey was recuperating from two pulmonary embolisms and exhaustion, lawyers for the Church of Scientology and the Justice Department gathered before Judge Aubrey Robinson, Richey's successor in the two-year-old conspiracy case against 11 members of the Church of Scientology. Judge Richey had already convicted and sentenced nine of the original 11 defendants, but the remaining two, recently extradited from England, were about to go on trial.

"Particularly from the standpoint of your Honor's feelings about these defendants who are members of the Church of Scientology..." began John Shorter, Jr., a lawyer for one of the defendants. He was interrupted by Judge Robinson. "You want to raise a motion to recuse?" the judge asked. He knew what Shorter's remark foreshadowed, having witnessed the Scientologists campaign to drive Judge Richey off the case. "Is this a fishing expedition?"

Robinson is the fourth D.C. district court judge to preside over the Scientology case and the latest target of the Scientologists' self-proclaimed "attack" litigation strategy. Their strategy amounts to an all-out war against the D.C. district court judges, a war much more sophisticated, better financed and more successful than the bizarre tactics used by some other groups against their courtroom adversaries, such as Synanon's attempt to murder an opposing counsel by putting a rattlesnake in his mailbox.

Unlike Synanon, the Church of Scientology has long sought to distinguish itself as a legitimate religion. Founded in 1954 by L. Ron Hubbard, a Science fiction writer, philosopher and author of the bestselling book *Dianetics: The Modern Science of Mental Health*, the church claims five million adherents to its selfhelp philosophy. The Church of Scientology has called itself the spiritual heir of Buddhism in the western world, and focuses on what it calls "pastoral counseling" to increase its members abilities and awareness.

But in the past few years, the church has been accused of brainwashing and harassing its members, and it has become em- broiled in dozens of lawsuits (see sidebar, page 32), including the 1978 criminal conspiracy charges against 11 of its members. Such setbacks have triggered increasingly militant responses, which focused, in the conspiracy case, on the federal judiciary. The Scientologists legal strategy has been to force the recusal of Judges lie at the root of the pending criminal charges against the Scientologists. In 1976. D.C. District Court Justice George Hart, Jr., casually proposed a deposition of Hubbard in conjunction with one of many Freedom Of Information Act suits filed by the church. Hart's remark (no deposition ever proved necessary) caused Scientology officials to believe that the government knew something incriminating about Hubbard. As a result the church intensified its efforts to learn what information the government might possess.

At the same time the church was issuing "Guardian Programme Orders" (directives to church members telling them to use "standard overt sources" and "any suitable guise interviews" to monitor the activities of all district court judges presiding in the FOIA suits. In 1977 that directive was extended to all 15 active judges in the D.C. federal district court.

Posing in some instances as students and journalists, Scientologists interviewed the judges, researched their careers and backgrounds, followed them and prepared dossiers. According to

Scientology documents, their goal was to determine "tone level" and "buttons on" --indicia of personal vulnerability. in the parlance of Scientology. But the church's operation went far beyond legal surveillance. Members of the church were caught breaking into the offices of the IRS and the Justice Department, stealing and copying documents and eavesdropping. On August 15. 1978. 11 Scientologists were indicted on charges of electronically intercepting oral IRS communications, forging government passes, illegally entering government buildings, recruiting Scientologists to infiltrate the government, stealing records belonging to the IRS, Justice Department and the U.S. Attorney and conspiring to illegally obtain documents in the possession of the United States and to obstruct justice.

The Scientologist defendants hired some well-known defense counsel. Mary Sue Hubbard, the wife of church leader L. Ron Hubbard and the highest ranking defendant on trial, retained Leonard Boudin of Rabinowitz, Boudin & Standard and Michael Hertzberg, a solo practitioner, both activist lawyers now practicing law in New York City. Two other defendants, Henning Heldt and Duke Snider, retained Alexandria, Virginia, lawyer Philip Hirschkop, who had been counsel for the "DC. Nine." antiwar protesters arrested in 1970. In all, 12 lawyers were hired to defend nine defendants (two others had fled to England where they faced extradition proceedings). Boudin and Hirschkop soon assumed the leading roles in the defense.

Boudin and Hirschkop won't discuss why they were selected, but their public identification with radical and unpopular causes was undoubtedly attractive to church members, This was Boudin's first association with the church, but Hirschkop had handled a search and seizure matter for the church in 1977.

One lawyer who represents Scientologists and has worked with Boudin and Hirschkop offers this ideological defense for their taking the case: "It is a simple case of government overreaching." he says. "The government just can't tolerate an organization with nonconforming beliefs. The Scientologists stand up for their rights -- aggressively." Another lawyer who has worked on the case adds a financial motive for their taking such a case: *"These people pay their bills -- top dollar and on time -which is more than I can say for most of my unpopular clients. This case will finance a lot of pro bono work."* Hirschkop won't say what he has received in legal fees from the Scientologists, but the church is a prosperous client In one instance a member paid the church $30,000 for the required series of counseling sessions.

Whatever their reasons for taking the case, high-minded principles have not characterized the campaign of the Scientologists' lawyers against the District of Columbia judges. In August 1978 the cases were assigned to Judge Hart,. the judge whose comment had originally intensified the intelligence operation and who, like all of his fellow D.C. district court judges, had been investigated. He became the first victim of the Scientologists' recusal strategy.

Boudin filed the first recusal motion in January 1979. His theory was a novel one: by telling Judge Hart that the judge himself was a target of the Scientologists' own possibly illegal activities, he would cause the judge to be biased, or appear to be biased, against them. In his motion, Boudin quoted a Scientology document ordering an "overt" and "covert" data collection operation against Judge Hart, which, in Boudin's words, "possibly [included] the use of methods violative of the judge's privacy and other rights and possibly violative of the criminal laws." Boudin concluded that "the sitting judge is revealed to the jury and the public as a victim of possibly illegal actions," and "the judge has an obvious interest which may be affected by the outcome of the case." Notwithstanding documents to which government and defense counsel had access ordering similar operations on all the District of (Columbia district court judges, Boudin declared that he knew of no other such campaigns.

Although government lawyers. led by chief prosecutor Raymond Banoun, protested vigorously, arguing that the Scientologists were using their own possibly illegal activities to disqualify the judge, Hart granted the recusal motion and stepped down. Hart denied that he was biased, but he agreed that the appearance of impartiality had been tainted by the Scientologists' surveillance operation against him. "I was afraid a jury would be prejudiced against the defendants because of their alleged threats against me." Hart said recently.

The case was assigned next to Judge Louis Oberdorfer, who in light of Judge Hart's recent experience asked for memoranda and oral arguments from both sides at the outset indicating potential grounds for disqualification. Government lawyers pointed out in their memo that Oberdorfer was formerly an assistant attorney general in charge of the tax division of the Justice Department, which had prosecuted a case that ended the tax-exempt status for the founding Church of Scientology in Los Angeles in 1969. Oberdorfer concluded that he had "personal knowledge of disputed evidentiary facts," and on February 5. 1979. he too stepped down.

Shortly afterward the case fell to Richey, 57, a 1971 Nixon appointee whose liberal record -- especially in the area of defendants rights -- surprised early critics. The assignment initially pleased the Scientology defendants. In a pamphlet called "The Trial of the Scientology Nine," prepared by the Scientologists, Judge Richey was described as having "a very fatherly visage . . though crippled with a congenital defect in his hip, one does not notice either his limp or his shortness. His glasses glinting from the lights of the courtroom add to the picture of a man of deep intelligence and sympathy." And when Richey, too, asked at the outset for a recusal motion if one were planned, Boudin and Hirschkop said they were satisfied with his assignment to the case. That attitude was soon belied by a campaign of harassment that took place in and out of the courtroom.

During the summer of 1979, court sessions were held for about three weeks in Los Angeles, where Richey scheduled testimony on the Scientologists' motion to suppress evidence seized by the FBI in its 1977 raids of the church's headquarters. The thousands of documents seized in those raids constituted the core of the evidence against the alleged conspirators. The hearings had been moved to Los Angeles to accommodate the Scientologists' witnesses.

Prior to his departure for Los Angeles, Richey received several death threats. The judge has never publicly alleged that those threats came from Scientologists and has said they were unrelated to the case, but he flew to California escorted by two federal marshals, and elaborate security precautions were implemented at the federal courthouse in downtown Los Angeles.

During the hearings, defense lawyers repeatedly interrupted the proceedings with objections, motions and audible commentary, including insults to the judge. For example, Hirschkop and other counsel repeatedly and loudly ordered co-counsel to place adverse evidentiary rulings in a mythical "error bad." On several occasions. Hirschkop accused Richey of lying. At times, Richey left the bench and walked out rather than hold defense counsel in contempt. Only once, at a later hearing, did the judge seem to boil over: speaking to Hirschkop, Richey said, "I want to tell you right here and now, I resent it because I have done nothing to hurt you or your clients. And this record is replete with insults and everything else, when I have not done it to you and don't intend to." Banoun, the prosecutor, says Richey was too accommodating. "He should never have tolerated such behavior, " Banoun says.

Hirschkop claims that he was the one who was insulted. "Richey showed contempt for me," Hirschkop says, recalling the time when, he claims, Richey tried to "force-feed" him French fries in court. (Banoun says the judge simply offered all the counsel some French fries he had not finished at lunch.) "I called Banoun a liar," Hirschkop continues, "and the judge admonished me. But Banoun could insult me with impunity." Banoun denies that this was true. Hirschkop concedes that he frequently became "heated" in his dealings with Judge Richey but says, "I never called him dirty names."

In September 1979, after the Los Angeles hearings, Richey denied the Scientologists' motion to suppress the evidence seized by the FBI. The defendants eventually entered into a stipulation of facts, which amounted to an admission of the principal charges against them, and waived a jury trial. In return, the government agreed to drop 23 of its 24 criminal counts.

Judge Richey explicitly warned the Scientologists that the stipulation was likely to result in their conviction: he subsequently conducted his own review of the evidence, which he said was "overwhelming evidence of guilt," and on October 26, he convicted all nine. On December 6, two days before they were to be sentenced, a recusal motion against Richey was filed.

In this recusal motion, Boudin and Hirschkop again took the extraordinary position that Richey's response to their courtroom tactics and to the threats showed that Richey was prejudiced against Scientologists. For example, without saying that the death threats were made by Scientologists, Hirschkop said that "upon information and belief, the security in Los Angeles was related to the court's apprehension with regard to the defendants in this case or their church," adding that "it is impossible to imagine a stronger --or more clearly 'extra-judicial' --source of bias than fear for one's life or wellbeing."

Whatever its merits, the recusal motion was patently defective in at least two technical respects. The judicial recusal statute requires a "timely" motion supported by an affidavit signed by a "party." This motion was filed four months after the events complained of-- and after nearly 120 defense motions had been resolved against the Scientologists --and was supported by Hirschkop's affidavit, not one of the defendants. ("I should have filed it much sooner," Hirschkop concedes. "Richey was grossly prejudiced from the start.") In response to the motion, Judge Richey defended his security precautions, noting that "the court may accept reasonable security precautions without risk of tainting its rulings in the case." He denied the motion and that same day sentenced the nine defendants to prison terms of from six months to four to five years. Eight pulled out checks for $10,000 the day of their sentencing, and all nine are now free on bail pending appeal.

The denial of their first recusal motion and the sentences, which the Scientologists regarded as unconscionably harsh, led to a redoubling of defense efforts to drive Richey from the case. Six months later, in June 1980, defense counsel were ready with another recusal motion, more damaging and threatening to Judge Richey than the first. The groundwork for that motion had been laid nearly a year before, shortly after the Los Angeles hearings.

That summer, Thomas Dourian, Judge Richey's official court reporter who accompanied him to Los Angeles, was approached by Hirschkop soon after their return to Washington. In a sworn affidavit filed in response to the second recusal motion, Dourian says Hirschkop wanted to know if the security precautions in Los Angeles resulted from Richey's fear of Scientologists. In the affidavit Dourian swore he denied that the judge was afraid but confirmed that before leaving Washington, the judge and his wife and two sons had received two death threats.

Soon after this encounter, in December 1979, a Scientology lawyer hired Richard Bast, a private detective who had worked for Hirschkop several years before, to investigate Judge Richey's security precautions. Bast's fee: $321,000 plus expenses. One of Bast's first steps was to infiltrate Richey's inner circle at the courthouse.

In the spring of 1980, a few months after the Scientologists' sentencing, Fred Cain, a Bast employee and retired police officer, approached James Perry, one of two U.S. marshals who had accompanied Richey to Los Angeles. Cain explained to Perry that he had been retained by a European industrialist whose daughter had committed suicide, allegedly as a result of her involvement with the Church of Scientology, and that his assignment was to uncover information that could be damaging to the church. According to Bast, Perry told Cain that he wanted to write a book on the Scientology case, and Bast offered him a $2,000 advance. Bast says that Perry took the money, and they agreed to work together.

The evening of May 23, Perry and Cain met Dourian, the court reporter, at his home in Washington. According to Dourian's affidavit, Cain introduced himself as a private investigator for International Investigations, Inc., Bast's detective agency, and told him the same story about the European industrialist.

Dourian says in his affidavit that he found the story improbable but that because his home had been burglarized and he had received threatening phone calls, which he suspected came from Scientologists, he was curious about what Cain and Perry were doing. According to the affidavit, Dourian met with Cain three more times, and each time he was questioned about Judge Richey. At a meeting at his home on May 31, 1980, Dourian says he realized that the conversation was being recorded. Cain had been drinking heavily, Dourian says, and as a result, the court reporter was able to slip a small tape recorder and three cassettes out of Cain's pocket. Dourian's last meeting with Cain was on June 19, when they met with Bast and then dined at a nearby Pizza Hut. Again, Dourian was asked about Richey, and the conversation was recorded.

The recordings of Dourian, along with tape-recorded statements made by Hirschkop -- all collected by Bast -- formed the basis for the next recusal motion against Judge Richey. The motion, largely incorporating an earlier recusal motion filed by Hirschkop, was filed on June 20, 1980, as proceedings were beginning against the two defendants recently extradited from Great Britain. For some of the Scientologists' counsel, however, the recusal strategy had gone too far. There was apparently opposition within the ranks to these motions and the way they were prepared. One lawyer, Michael Nussbaum, who represented two of the defendants, didn't sign the papers and withdrew as trial counsel.

The affidavit in support of this motion was filed by Morris Budlong, one of the extradited defendants, after he listened to various tapes and spoke to Hirschkop. Among the prejudicial remarks that Budlong attributed to Judge Richey were: that Richey's death threats emanated from Scientologists; that Jim Jones and Scientologists were "all the same"; that it would be a "feather in his hat" to convict the Scientologists; and that Richey had told another judge that Scientologists were spreading rumors about him as part of a "plot" to discredit him.

A cryptic footnote to the affidavit declined to provide details of the alleged rumors about Richey, citing "respect for the court as an institution." But Hirschkop and other defense counsel knew the details of the plot Richey alluded to. They had gotten them from Bast, who says he had combed the Los Angeles area for information about Judge Richey's personal habits, interviewing motel and restaurant employees and making videotapes and recordings. The information not revealed in the motion was taken by Bast to political columnist Jack Anderson.

The central figure in Bast's story was a self-professed Los Angeles prostitute who worked the Brentwood Holiday Inn, the motel where Richey stayed during the Los Angeles hearings. In a video recording shown to Gary Cohn, a reporter for Anderson, the prostitute recalled "in titillating detail," according to Cohn, an encounter with Judge Richey at the motel and his procurement of her services. According to Cohn, Bast also showed results of lie detector tests conducted by Cain to demonstrate that the prostitute was telling the truth; a tape recording of Perry, the U.S. marshal, claiming Judge Richey said, "Let's go get a woman"; and a tape recording of Dourian, the court reporter, saying Richey "was always picking up girls."

Cohn says that he was initially skeptical of the story because he was aware that Bast was employed by the Scientologists. But he says he had often worked with Bast and trusted him. He says he considered but rejected the possibility that the prostitute was herself a Scientologist, planted to entrap the Judge. Bast says only that his discovery of the prostitute was "accidental," that he paid her $1,200, that she is not a Scientologist and that she is no longer streetwalking.

Cohn wrote the column, which later appeared under Anderson's by-line, focusing on Bast's investigation and Richey's procurement of a prostitute. Cohn adds that he is now "not happy" with the way the column was written. In his affidavit, Dourian, the court reporter, who has heard the tapes he stole from Cain's pocket, denies the remarks attributed to him.

Newspapers that subscribe to Anderson's column received the Judge Richey story around July 11, a week before its release date of July 18. Some of them balked at running it -- the New York Daily News decided not to publish it -- and The Washington Post used it only after extensive conversations with Cohn. Cohn says he never reached Richey for comment, and although Post editor Ben Bradlee says he is sure "we did call (Richey) about the column," no comment from Richey appeared in the Post's version, either.

On July 16, Richey issued his opinion. Evidently referring to the upcoming Anderson column, which Richey might have known about from reporters' calls and messages, Richey characterized the recusal motion as "this latest effort in the escalating attack on the court" and found the grounds for the motion to be "insufficient as a matter of law," resting only on "hearsay, rumor and gossip."

But, the judge continued, "defendants and their counsel have engaged in groundless and relentless attacks on this court. Their motive is transparent. It is an attempt to transform the trial ... into a trial of this judge." Though he labeled the attempts to remove him a "classic example" of abuse of the recusal statutes, he wrote that "the time has come for the proceedings in this case to proceed on the merits with the attention of all directed at the real issues in this case." As a result, Richey withdrew from the case in a state of exhaustion and near-collapse, according to associates.

On July 18, Jack Anderson's column appeared in newspapers throughout the country. Five days later, Judge Richey was hospitalized with exhaustion and pulmonary embolisms. He has since declined all comment on the case, citing the code of judicial conduct.

Judge Richey's ordeal may not be over. Hirschkop vows that his campaign against the judge will continue, and he claims that the prostitute affair is "only the tip of the iceberg." Although Hirschkop declines to disclose details, he says if necessary he will expose additional damaging information uncovered by Bast.

Apart from the delays, the campaign against Judge Richey has had negligible legal impact on the proceedings against the Scientologist defendants. Though an appeal is pending on a conventional search and seizure question, the convictions of the first nine stand. Trials of the remaining two defendants started in late October under Judge Robinson and are still in progress.

The activities of the Scientologists and their counsel in this case seem destined only to satisfy a commandment L. Ron Hubbard once wrote:

"The DEFENSE of anything is UNTENABLE. The only way to defend anything is to ATTACK, and if you ever forget that, then you will lose every battle you are ever engaged in, whether it is in terms of personal conversation, public debate, or a court of law. NEVER BE INTERESTED IN CHARGES. DO, yourself, much MORE CHARGING, and you will WIN."

In its July 1980 issue the American Lawyer named Judge Charles Richey runner-up to the worst District of Columbia federal district court judge. The lawyer who most vehemently denounced Richey was one of the Scientologists' defense counsel, and this same lawyer also referred our reporter to other lawyers who have represented Church of Scientology defendants. The reporter, who has since left our staff, says he was unaware of Scientologists' efforts to discredit and recuse Judge Richey. Without the lawyer's vehemently derogatory remarks and his referrals to other "sources," our reporter says he would not have named Richey in the survey.

BATTLES ON OTHER FRONTS

The Church of Scientology has been involved in almost constant litigation since its founding nearly 30 years ago. Besides periodic clashes with the government, the church has filed scores of suits against the media to inhibit the news coverage of its activities.

Among the more recent cases involving the church and the media:

Fourteen libel suits have been filed against Paulette Cooper, New York freelance writer and author of the 1971 book, The Scandal of Scientology, and her publisher. Church documents seized in the 1977 Los Angeles raid and made public last year revealed "Operation Freakout," a campaign of harassment directed against cooper that included death threats, obscene phone calls, phony letters about her sexual behavior and a forged bomb threat against the church that resulted in Cooper's indictment in 1973. The charges against Cooper were dropped in 1975. Cooper has now retaliated with a $55-million suit against the church.

A 1977 suit against the San Diego Union asked $10,000 in damages for invasion of privacy from a reporter who had registered for a Scientology course in order to write a story about the church. The church offered to drop the suit if plans to publish the story were dropped, but after the story ran, the church increased its damage claim to $600,000 and added charges of fraud and deceit against the paper. The case was dismissed on summary judgment.

In 1976 the church sued the Clearwater Sun in Florida for $1 million and threatened to sue the St. Petersburg Times for a series of stories on the church. Scientologists spread rumors linking Times officials to the CIA, the FBI and the Communist Party, and harassed reporters. The Sun countersued the church for abuse of process, and the Times sued for an injunction barring the church's harassment of its reporters. The church subsequently dropped its suit against the Sun and never followed through on its threat to sue the Times.

In March 1979 the church sued two New York writers, Jim Siegelman and Flo Conway, after they criticized Scientology on the "David Susskind Show" while discussing their book, Snapping. After the Scientologists' suit against them was dismissed, the pair countersued, charging the church with malicious prosecution.

The church has lately found itself on the defensive in a flurry of suits filed against it by disgruntled former church members and recruits. Currently pending against the church are:

a suit filed October 21 by Lawrence Stifler, a Boston marathon runner, asking 41.25 million for damages sustained after he was allegedly physically attacked by a Scientology recruiter. Stifler says that due to the injury, he may never run again;

a $16-million suit filed in April by Tonja Burden, a 20-year-old former church member who claims she was deceived and forced to remain in the church, used as slave labor and kidnapped after she escaped;

a $21-million suit brought by jazz guitarist Gabor Szabo in February, accusing the church of embezzlement, kidnapping and forcing him to undergo a "life repair course";

a class action filed last December by former church staff member Lavenda Van Schack, seeking $200 million on behalf of church dropouts. Her suit accuses the church of mind control, unlawful electronic surveillance and leaking details of her private life to the media.

Last year, Julie Titchbourne, a former Church of Scientology member, was awarded 42 million by a Portland, Oregon, jury, which found that the church's promises of a better life were fraudulent. The church as subsequently sued four "deprogrammers" for $2 million collectively, claiming that they induced Titchbourne to turn against the church.

-- J.B.S.

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Shudder into Silence

The Church of Scientology doesn't take kindly to negative coverage

By Robert W. Welkos
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In the late spring of 1990, shortly before the *Los Angeles Times* published a comprehensive series on the Church of Scientology by staff writer Joel Sappell and myself, a deliveryman arrived at my house and propped a large manila envelope against my front door. It was from a mortuary, and inside was a brochure extolling the benefits of arranging your funeral before you die.

"Investigate the pre-arrangement program at our memorial park now," the brochure read. "You'll be glad you did, and so will your family."

Curious, I telephoned the mortuary and asked why they had sent me the material. To my amazement, they didn't know they had and told me they never sent brochures unsolicited because it can be upsetting. They assured me they were always sensitive to such concerns and that it would not happen again.

But it did.

Two days later, my wife caught a glimpse of a man hurrying down the front walk. By the time she opened the door, he was driving away, but left on the step was another envelope from the same mortuary.

I would never know if the deliveries were just a mix-up or a sinister prank. Just as I have never known who made the dozens of hang-up telephone calls to my house; what caused my partner's dog to go into seizures on the day the Times published the secret teachings of Scientology; why a bogus assault complaint was filed with the Los Angeles Police Department against Sappell by a man whose address and name proved to be phony, or why car dealers we had never dealt with were making inquiries into our personal credit reports.

Yet, I wondered: Were these incidents more than coincidence?

WHENEVER JOURNALISTS ASK CRITICAL QUESTIONS ABOUT SCIENTOLOGY THEY CAN EXPECT TO ENDURE INTENSE PERSONAL SCRUTINY OVER THE YEARS. VARIOUS REPORTERS HAVE BEEN SUED, HARASSED, SPIED ON, AND EVEN BEEN SUBJECTED TO DIRTY TRICKS.

Our investigation of Scientology began in 1985. The undertaking stretched over five difficult years and tested the will of the newspaper as we were repeatedly subject to the church's intimidative tactics.

In the end, we published 24 stories over six days, exploring virtually every facet of Scientology, from its confidential doctrines to its abuses against former members to the fictional background of its founder, the late science fiction writer L. Ron Hubbard. The series also revealed how Scientologists had created numerous tax-exempt front groups and profit-making consulting firms to spread their beliefs throughout American society, and how Hubbard's remarkable string of 22 bestsellers was accomplished, in part, through multiple purchases of his books by Scientologists and employees of Hubbard's publishing house, which is controlled by church members.

The story took us across the U.S. and into Canada, interviewing hundreds of people, reviewing thousands of pages of documents, and studying the arcane writings of Hubbard himself.

Along the way we were sued once and successfully fought two federal court subpoenas served by Scientology to gain access to our research.

At various times, we were investigated by as many as three separate teams of private investigators hired by Scientology's attorneys. Up to the week of publication, the newspaper continued to receive letters from church lawyers threatening suits. I was sued by a church paralegal; for false imprisonment after he served me with a subpoena inside the newspaper and I told him to wait in an editor's office until security arrived and determined how he entered the building.

Outside the church's Golden Era Studios in Riverside, California, a *Times* photographer stopped his car on a public highway and began taking pictures of the compound when he was confronted by uniformed Scientology guards with walkie-talkies who demanded that he surrender his film. He refused after a long and tense confrontation, during which he was asked if he worked for the CIA. Later, at a church facility in Hollywood, the photographer parked on the street and began snapping pictures of two Scientologists assigned to Scientology's Rehabilitation Project Force, a kind of boot camp where members wear dark armbands, run everywhere, and perform menial tasks until their superiors determine that they have been properly rehabilitated. As the camera clicked, one of the men hurled a caustic substance at the photographer's car, eroding the paint.

On one occasion, people we had interviewed for the series were visited by private investigators posing as a film crew doing a documentary on Scientology.

In the weeks after the series appeared, Scientology struck back.

It purchased advertising space on more than 120 billboards and 1,000 bus placards around Los Angeles. The ads, which prominently included the newspaper's logo and our names, quoted from our series, but they had edited the excerpts to create the false impression that the *Los Angeles Times* was endorsing Scientology. It was so strange for me to be driving to work each morning on the freeway and then, in letters that looked 10 feet high, see my name plastered on a gigantic billboard, or standing at a crosswalk and glimpse my name whizzing past me on the side of a bus.

When *Time* magazine published a cover story about Scientology last May 6, Time Associate Editor Richard Behar wrote that "at least 10 attorneys and six private detectives were unleashed by Scientology and its followers in an effort to threaten, harass, and discredit me." Behar said that a copy of his personal credit report with detailed information about his bank accounts, home mortgage, credit-card payments, home address, and Social Security number had been illegally retrieved from a national credit bureau. Private investigators contacted his acquaintances and neighbors. He was subpoenaed by one attorney and he said another falsely *suggested that he* might own shares in a company he was reporting about.

A Miami private investigator, working for Scientology attorneys, posed as a woman whose niece was a Scientologist and sought advice on how to deal with her and the church.

"They have unleashed private eyes on most of the sources that were named in the story," Behar said in an interview.

On the public front, Scientology reportedly spent over $3 million to run daily ads in *USA*

Today. One ad blasted *Time* by claiming the magazine had once supported Adolph Hitler and his Nazi regime. The church also mailed out thousands of copies of an 80-page booklet entitled "Fact vs. Fiction," in which it attempted to correct "falsehoods" in Behar's article. Such attempts are known as "dead agenting" in Scientology.

Behar's experience was not unique.

When Linda Stasi of *New York Newsday* wrote a sharp-tongued gossip column about Scientology and mentioned Time's upcoming cover story, she received a letter from a man identifying himself as a U.S. Customs Service agent at Kennedy Airport. "He said my name and both of my reporters [Dough Vaughan and Anthony Scaduto] were going on their computer and he would personally see we underwent full body searches and rectal examinations until they found drugs or contraband on us the next time we went through customs," Stasi recalled.

Alarmed, the newspaper's executives referred the matter to the Customs Service for investigation. Not long afterward, executives said, an FBI agent contacted them and said an individual whom he did not name had complained that *Newsday* was having him harassed and wanted the agency to investigate the newspaper. As of this writing, the outcome of both probes is not known.

Stephen Koff, a staff writer at the Sr. *Petersburg Times*, said that after he began investigating Hubbard's church in 1988, a car dealership in California checked out his personal credit report, as did a sculptor, who has since died. "My guess it was really a private investigator [who checked out his credit]," Koff said.

While in Los Angeles to report on the church, Koff said, his wife began receiving obscene phone calls late at night and people claiming to work for credit card companies called wanting to know personal information about him. A week after his series appeared, he noticed a private investigator parked outside his house. At one point, he peeked through the blinds and the car was gone.

"Almost two hours later, I'm leaving with my daughter to take her to the baby sitter and I see the same car parked on a different street but parked in such a way they could see my house." As he drove off and got on a freeway the same car appeared in front of him. Koff said he learned through police sources that the car had been rented by a private investigator.

When Robert W. Lobsinger, publisher of the *Newkirk Herald Journal* in Newkirk, Oklahoma, began writing biting editorials alerting residents that Scientologists were quietly building a huge drug rehabilitation center on a nearby Indian reservation, he also was visited by private investigators on behalf of Scientology.

One "went to the sheriff's office poking around wanting all the terrible bad criminal history on me, my wife, and kids." Lobsinger recalled. "Of course, there isn't any. He wandered around town talking to everybody else trying to get the goods or me. They sent him down with a full-page ad to run in my paper and a handful of hundred dollar bills to buy this ad. Of course' the ad was a condemnation of me for exposing Scientology and insinuating that I was obviously a drug dealer and was a terrible bad guy . . . So they took it to the daily paper 15 miles north of us and they ran it up there." Lobsinger said Scientologists then mailed the ad to Newkirk's 2,500 residents.

No matter where Scientology surfaces as a story, journalists can expect to be targets of a "noisy" investigation.

"Remember," Hubbard wrote as far back as 1959, "intelligence we get with a whisper. Investigation we do with a yell." In "The Manual of Justice," Hubbard gave point-by-point instructions on how to deal with a "bad magazine article." First, he wrote, "Tell them by letter to retract at once in the next issue." The second step, he said, is to "hire a private detective of a national-type firm to investigate the writer, not the magazine, and get any criminal or Communist background the man has." The third step is to have lawyers write the magazine threatening suit, and then use the information gleaned from the investigator to make the writer "shudder into silence."

Using lawyers to attack its critics is standard Scientology procedure. Among the millions of words Hubbard left to his followers were precise directives on how to deal with critics and the press:

"The purpose of the [lawsuit] is to harass and discourage rather than win."

"If attacked on some vulnerable point by anyone or anything or any organization, always find or manufacture enough threat against them to cause them to sue for peace . . . Don't ever defend. Always attack."

"We do not want Scientology to be reported in the press, anywhere else than on the religious pages of newspapers... Therefore, we should be very alert to sue for slander at the slightest chance so as to discourage the public presses from mentioning Scientology."

"NEVER agree to an investigation of Scientology. Only agree to an investigation of the attacker . . . Start feeding lurid, blood, sex crime, actual evidence on the attack to the press. Don't ever tamely submit to an investigation of us. Make it rough, rough on attackers all the way."

When British author Russell Miller wrote a critical biography of Hubbard in 1988, an anonymous caller to police implicated Miller in the unsolved ax slaying of a South London private eye. Miller was interrogated by Scotland Yard, which later admitted the investigation was a waste of time that had "caused Mr. Miller some embarrassment."

The Sunday Times of London interviewed a private detective in 1987 who said he had been paid $2,500 by the Church of Scientology for attempting to smear Miller. The private eye was quoted as saying that he thought Miller was "at risk" and added: "People acting for the church are willing to pay large sums for men to discredit him. These bastards will stop at nothing."

When the St. *Petersburg Times* planned a review of another biography that was critical of Hubbard, it received a letter from a Scientology attorney threatening to sue the newspaper.

"We have evidence that your paper has a deep-seated bias against the Church and that you intend to hit the Church hard with this review," the letter from Los Angeles attorney Timothy Bowles stated...."If you forward one of his lies you will find yourself in court facing not only libel and slander charges, but also charges for conspiracy to violate civil rights. If you publish anything at all on it, you may still find yourself defending charges in court in light of what we know about your intentions. We know a whole lot more about your institution and motives than you think."

The newspaper published its review and Bowle's letter.

But the biggest horror story belongs to New York author Paulette Cooper.

Cooper, who wrote a scathing 1972 book entitled *The Scandal of Scientology*, was indicted on charges of making bomb threats against the church. The charges were eventually dismissed after authorities discovered the church had obtained stationery she had touched and used it to forge the bomb threats.

Today, when journalists launch investigations of Scientology, they can expect to be contacted by the Office of Special Affairs, the church unit responsible for countering outside threats. Attorneys at *OSA coordinate the activities of private detectives who gather information and spy on church critics.*

Journalists should know that even before they begin conducting interviews with church officials, those officials are prepared for them. Scientologists who regularly deal with the media are drilled in how to handle questions. The church once issued a bulletin on how to "cave in" a reporter by "shouting, banging, pointing [and] swearing."

Scientologists also were instructed how to be "covertly hostile" to a reporter: "He uses the word as a rapier and plunges it at the reporter, so that the reporter introverts and drops the questions."

Preparing for a hostile interview is one thing. Wondering whether you've been targeted for harassment is another.

Several weeks before the publication of our series, I joined a number of other Times' reporters for a drink and conversation at a nearby watering hole. As we sat laughing and talking, I noticed a woman sitting alone, facing me at a nearby table. Each time I looked in her direction she glanced at her wristwatch, as if to indicate she was waiting for a friend who never arrived. She waited for well over an hour until I mentioned to another reporter how odd it was.

As I headed home on the freeway I noticed a California Highway Patrol car swerving back and forth across the lanes, slowing traffic to a crawl. He slipped in behind my car, and ordered me to pull over. I asked the officer what I had done, and then saw there were three more patrol cars lined up behind me, all with their lights flashing.

After I was given a sobriety test, the officers huddled, then told me to gel going because I was sober. When I asked why I had been stopped, one officer said they had received a report that I was weaving and endangering other motorists.

The next day, I learned that the CHP had received a call over a car phone from a man identifying himself as a former Los Angeles police officer. He said he was following me and would direct the officers to my location.

Oddly, he never gave his name.

My colleagues later said I was lucky I hadn't made any sudden moves while getting out of my car. In a city plagued by freeway shootings and gangs, cops get nervous.

Welkos is a staff writer for the Los Angeles Times

SWORN STATEMENT

I Malcolm Claude Nothling, the undersigned, hereby state the following under oath:

1 I am a Caucasian male 38 years of age, born on 31/08/54.

2 I was a dedicated member of The Church of Scientology from 1979 - 1986.

3 I served in the Special Forces in the South African Defence Force. During this period I became highly skilled in handling firearms. This information was known by senior members of the Church of Scientology in South Africa.

4 In May 1986 I was requested to take up an administrative position at the Church of Scientology's headquarters in Los Angeles.

5 I arrived in Los Angeles on 6th June 1986 expecting to take up an administrative post that urgently needed to be filled. A week after arriving I was seconded to assist with demonstrations outside the Los Angeles Supreme Court in which the case between Lawrence Wollersheim and the Church of Scientology was being heard.

6 I was also promised by the Church of Scientology, on arrival in Los Angeles, that they would attend to some of my previous counselling that had gone horribly wrong. I was experiencing suicidal feelings and feelings of anger and destruction. It required a tremendous effort on my behalf to restrain myself. I had previously submitted a report to the Religious Technology Centre of my condition.

7 During June/July 1986 I was approached by two Scientologists from the San Francisco area, specifically Concorde. Unfortunately I cannot recall their names but one of them had a signwriting business in that area. They proposed that I should assasinate Larry Wollersheim. They would organise the weapon and whatever else I needed to accomplish this task. I cannot say with any accuracy wether or not they had been instructed to organise this from a higher level within the organisation. However, I now find it disturbing that Scientologists, myself included at the time, can consider this method of resolving what they consider to be a problem. In fact I blame the policy within the Church of Scientology known as the 'Simon Bolivar'which encourages these acts against supposed enemies. At the time I seriously considered committing this crime but believed that I was going to be used as the "fall guy" because it would have been easy thereafter to show that I was demonstrating and stating that I found myself in an unstable condition. When I declined I fell out of favour with the Church of Scientology and was expelled without a hearing and on trumped up charges for which I am currently suing the Church of

Scientology.

8 The above is true and I am willing to submit to a polygraph test or any other method to establish the integrity of my statement.

[illegible] above statement was taken by [illegible] acknowledged [illegible] the contents [illegible] was sworn [illegible] signature [illegible] was placed thereon in my presence.

te/at Edenvale on 02-11-[illegible] om 14 00.

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SOUTH AFRICAN POLICE
1992 -11- 2 0
SUID-AFRIKAANSE POLISIE

SIEZED IN FBI SEARCH OF SCIENTOLOGY HEADQUARTERS

INTELLIGENCE SPECIALIST TRAINING ROUTINE - TR L

Purpose: To train the student to give a false statement with good TR-1. To train the student to outflow false data effectively.

Position: Same as TR-1

Commands: Part 1 "Tell me a lie". Command given by coach. Part 2 interview type 2 WC by coach.

Training Stress: In Part 1 coach gives command, student originates a falsehood Coach flunks for out TR 1 or TR 0. In Part 2 coach asks questions of the student on his background or a subject. Student gives untrue data of a plausi sort that the student backs up with further explanatory data upon the coach further questions. The coach flunks for out TR 0 and TR 1, and for student fumbling on question answers. The student should be coached on a gradient until he/she can lie facily.

Short example:

Coach: Where do you come from?

Student: I come from the Housewives Committee on Drug Abuse.

Coach: But you said earlier that you were single.

Student: Well, actually I was married but am divorced. I have 2 kids in the suburbs where I am a housewife, in fact I'm a member of the P.T.A.

Coach: What town is it that you live in?

Student: West Brighton

Coach: But there is no public school in West Brighton.

Student: I know. I send my children to school in Brighton, and that's where I'm a P.T.A. member.

Coach: Oh, and who is the Chairman there?

etc.

PROOF OF SERVICE

I am employed in the county of Marin, State of California. I am over the age of eighteen years and not a party to the above entitled action. My business address is 711 Sir Francis Drake Boulevard, San Anselmo, California 94960. I served the foregoing document(s) described as:

> DECLARATION OF LAWRENCE WOLLERSHEIM IN OPPOSITION TO SCIENTOLOGY'S MOTIONS FOR SUMMARY ADJUDICATION OF THE 20TH; AND 13TH, 16TH, 17TH & 19TH CAUSES OF ACTION OF SECOND AMENDED COMPLAINT

on the following persons on the date set forth below, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid to be placed in the United States Mail at San Anselmo, California:

Laurie J. Bartilson, Esquire — MAIL
BOWLES & MOXON
6255 Sunset Boulevard, Suite 2000
Los Angeles, CA 90028

Michael L. Walton, Esquire — MAIL
P.O. Box 751
San Anselmo, CA 94979

[X] (By Mail) I caused such envelope with postage thereon fully prepaid to be placed in the United States Mail at San Anselmo, California.

[ ] (Personal) I caused said papers to be personally served on the office of counsel.

[X] (State) I declare under the penalty of perjury under the laws of the State of California that the above is true and correct.

DATED: April 10, 1995

ORIGINAL

8217

Gerald Armstrong
715 Sir Francis Drake Boulevard
San Anselmo, CA 94960
(415)456-8450
In Propria Persona

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF MARIN

CHURCH OF SCIENTOLOGY INTERNATIONAL, a California not-for-profit religious corporation, Plaintiff, vs. GERALD ARMSTRONG; MICHAEL WALTON; THE GERALD ARMSTRONG CORPORATION a California for-profit corporation; DOES 1 through 100, inclusive, Defendants.	No. **157 680** **SECOND DECLARATION OF GERALD ARMSTRONG IN OPPOSITION TO MOTION FOR SUMMARY ADJUDICATION OF 13th, 16th, 17th & 19th CAUSES OF ACTION OF SCIENTOLOGY'S SECOND AMENDED COMPLAINT** Date: 9/29/95 Time: 9:00 a.m. Dept: One Trial Date: not set

DECLARATION OF GERALD ARMSTRONG

I, Gerald Armstrong, declare:

1. I have personal knowledge of the facts set forth in this declaration and could competently testify thereto if called as a witness.

2. In its ruling of January 27, 1995, this Court stated regarding the liquidated damages provision of the subject "settlement contract:" "The law now presumes that liquidated damages provisions are "valid unless the party seeking to invalidate the provision establishes that the provision was unreasonable under the circumstances existing at the time the contract was made." Civ. Code, § 1671, Subd.(b).)" The provision

was unreasonable in December, 1986 for at least these reasons:

A. I had been the target of Scientology's "fair game" attacks since 1981. (See list of "fair game" acts in separate statement at no. 1-A and all evidence cited to thereat.) I had not subjected Scientology to "fair game," and did not have a policy or practice of "fair game." It was unreasonable that Scientology be "protected" when its "fair game" target should have been.

B. The liquidated damages provision was also unreasonable because Scientology had contracted with my attorney, Michael Flynn, to not represent me or defend me in the event Scientology continued to attack me; which it did.

C. The liquidated damages provision was also unreasonable because it applied to over seventeen years of my life, about which it was impossible to be silent. On its face the "settlement contract," does not "permit" me to communicate my experiences to a doctor, lawyer, girlfriend, counselor, minister, or any agency of the government; or face a $50,000 penalty. The impossibility and unreasonableness of this is demonstrated, for example, by my response dated April 23, 1990 to an audit by the IRS (ex. 5-R and exhibits thereto). In my response to the audit, which was successful, I had to provide facts concerning my Scientology history. To not have provided such facts could have resulted in an adverse ruling; and I had the right, despite Scientology's unreasonable liquidated damages provision, to present my facts to the IRS to support my effort to obtain a favorable ruling.

D. The liquidated damages provision was also unreasonable because Scientology was not intending to honor its promise to cease "fair game," but was intending to subject me and my friends to more "fair game," including publishing its own untrue and perverse accounts of my history. This intention is demonstrated by the fact that Scientology immediately after the "settlement" provided its account of my history and documents concerning me to at least the Los Angeles Times, and shortly thereafter to at least the London Sunday Times.

E. The liquidated damages provision was also unreasonable because Scientology, by the same "settlement contract," was going to maintain its action in the Court of Appeal against me after the "settlement." Through Scientology's acts, known by Scientology and its lawyers at the time of the settlement, my whole history contained in the trial record, became a public record. Coupled with Scientology's intention to continue to subject me to "fair game," demonstrated by its acts immediately thereafter, its keeping the pot of controversy boiling in the Court of Appeal rendered the liquidated damages provision unreasonable at the time.

F. The liquidated damages provision was also unreasonable because Scientology had not been damaged in any way by any statement I had made at any time prior to the "settlement." There was and is no relationship between actual damages and the amount of the liquidated damages. All the money Scientology has spent on litigation concerning me has been to further its "fair game" goals in violation of my basic human and civil rights, not on "repairing" "damage" I have done.

G. The unreasonableness of the liquidated damages provision is clearly demonstrated by the way Michael Flynn dealt with it. When I protested the unreasonableness and the impossibility of being silent about my seventeen years of experiences, Flynn said, "It's not worth the paper it's printed on;" "it's unenforceable."

He also said that "Scientology won't change it." For that reason and that reason alone there was no discussion of the liquidated damages provision beyond that point. I saw the provision as stupid, cruel and diabolic. Flynn said "It's not worth the paper it's printed on." I was left with only one option: if Scientology wants to keep the stupid, cruel and diabolic clauses in its enforceable "contract," so be it. Nothing that has happened since December, 1986 has convinced me that the liquidated damages provision is not stupid, cruel, diabolic or enforceable. Michael Flynn continues to say it's evil and unenforceable; but is afraid of Scientology's revenge if he comes forward. I have called or written to Flynn on dozens of occasions to request his help in this matter. Without Scientology's release of him to help, he will not come forward.

3. In its ruling of January 27, 1995, this Court also stated regarding the liquidated damages provision of the subject "settlement contract:" "[Defendant] has not shown that he had unequal bargaining power or that he made any efforts to bargain or negotiate with respect to the provision." In fact I had an utterly unequal bargaining power at the time of the "settlement," and I made a sincere effort to address the provision and negotiate. I have stated many times that I was positioned by Flynn and Scientology as a "deal breaker." I was flown to Los Angeles from Boston without seeing one word of the "settlement contract." I was flown to Los Angeles to "sign" after Flynn's other clients had been brought to Los Angeles. I was told by Flynn that there would be no deal for anyone unless I signed. I was told by Flynn that Scientology would continue to subject me, all his other clients, and himself to "fair game" unless I signed.

I was told by Flynn that Scientology was promising to cease "fair game" against everyone, and that the cessation of "fair game" depended on my signing. Scientology at the time of the "settlement" had a net worth estimated at $500,000,000. I had a net worth of zero. Prior to my arriving in Los Angeles Scientology had already got Flynn to agree to sign a contract to not represent or assist me if Scientology attacked me after the "settlement." Flynn's co-counsel in my case, Julia Dragojevic, was not representing my interests, but was going along with whatever deal Flynn obtained from Scientology. I was essentially without an attorney representing my interests and broke. Scientology had millions of dollars, a formidable litigation machine in-place and operating, and my own attorney intimidated and compromised. Nevertheless I objected to the liquidated damages provision and attempted to negotiate, only to be told by Flynn that "it's not worth the paper it's printed on." This statement was not a shock, because I had been required to sign similar "non-disclosure" documents with liquidated damages provisions while inside Scientology, and Flynn had stated many times that such documents were "not worth the paper they were printed on." These documents were also found to be unenforceable by the Court in my original case with Scientology. If Flynn had stated or even implied at the 1986 "global settlement" that the liquidated damages provision was valid and enforceable I would never have signed the document.

4. In its ruling of January 27, 1995, this Court also stated: "Finally defendant points to the fact that other settlement agreements contain a $10,000 liquidated damages provision.... This alone is not sufficient to raise a triable

issue in that defendant has not shown that circumstances did not change between 12/86 and 4/87 and that those settling parties stand in the same or similar position to defendant (i.e., that they were as high up in the organization and could cause as much damage by speaking out against plaintiff or that they have/had access to as much information as defendant.) I will address and compare other "settlement contracts" and other settling parties in the next three paragraphs.

5. Exhibit 8-Q is an excerpt from the August 30, 1994 deposition in this case of Nancy Rodes, another Flynn client in the 1986 "global settlement," plus a copy of Ms. Rodes "settlement contract." Ms. Rodes' "contract" also includes a $50,000 liquidated damages provision. (Ex. 8-Q, "mutual release agreement," p. 4, para. 6-D). Ms. Rodes testified that she was paid $7,500.00 in settlement of her claim. (Ex. 8-Q, transcript, at 35:7-14). Ms. Rodes testified concerning the condition prohibiting her talking about her life that she had been told by Flynn that "he didn't feel that that aspect of the Agreement would stand up." (Id. at 38:18,19) Ms. Rodes testified that she had been told by Flynn that the "settlement agreement" is "not really enforceable...no legal document can really take away your rights." (Id. at 64:24-65:1) She testified that Flynn "gave [her] the understanding that the clause which prevented [her] from discussing or communicating [her] experience in Scientology would not be enforceable." (Id. at 66:14-20) Ms. Rodes testified that in her decision to sign she relied "to a fairly large extent" on Flynn's telling her that he thought the provisions with respect to maintaining silence were not enforceable. (Id. at 74:1-6) Ms. Rodes testified that since the "settlement" she has "discussed

[her] experiences in Scientology with friends and people [she is] close to. (Id. at 73:1,2) Ms. Rodes testified that she "didn't have so much to say, so much knowledge." (Id. at 65:18-19)

6. Exhibit 8-P is an excerpt from the September 2, 1994 deposition in this case of Michael Douglas. Mr. Douglas testified that he executed an "agreement" like that of Nancy Rodes and was paid $7,500.00 as part of the 1986 "global settlement." (Ex. 8-P at 54:12-24) Mr. Douglas testified that his "settlement contract" also contained a $50,000 liquidated damages provision. (Id at 92:15-23)

7. Scientology's Exhibit 1(C)-B is a "settlement agreement" prepared by Michael Flynn and involving him and his "settling" clients. At page 4 it states: "[W]e acknowledge that many of the cases/clients involved in this settlement have been in litigation against the Church of Scientology for more than six to seven years, that many have been subjected to intense, and prolonged harassment by the Church of Scientology throughout the litigation, and that the value of the respective claims stated therein is measured in part by the (a) length and degree of harassment; (b) length and degree of involvement in the litigation; (c) the individual nature of each respective claim in connection with either their involvement with the Church of Scientology as a member and/or as a litigant; (d) the unique value of each case/client based on a variety of things including, but not limited to, the current procedural posture of a case, specific facts unique to each case, and financial, emotional or consequential damage in each case." The "settlement agreement" involving Flynn and his clients does not anywhere state that the amount paid to the various "settling" parties by Scientology was

related to the rights they were "giving up" by signing Scientology's "settlement agreement," nor how much damage each person could cause by speaking out against Scientology. Before the 1986 "settlement" I had been subjected to intense, and prolonged harassment by the Church of Scientology throughout the litigation, and I had been severely damaged emotionally by Scientology's intense and prolonged harassment. Scientology paid me to dismiss my lawsuit concerning its years of harassment which resulted in my emotional damage. Scientology did not pay me to be able to subject me to further intense and prolonged harassment and further emotional damage. I believe that because of Scientology's intense and prolonged harassment before the "settlement," and because of the emotional damage it inflicted, it owed me a duty to be extra careful not to subject me to any further harassment and any further emotional damage. Scientology's duty is reflected in its promise to cease all "fair game" activities as an inducement to "settle" my lawsuit.

8. In its ruling of January 27, 1995, this Court stated: "Defendant has not raised a triable issue regarding duress. Defendant's own declaration shows that he carefully weighed his options... In addition, Defendant is relying on the conduct of a third party (Flynn) to establish duress, yet he sets forth no fact or evidence in his separate statement showing that plaintiff had reason to know of the duress." Scientology knew of all of its acts of "fair game" against Flynn, and its acts of "fair game" against me. (See list of "fair game" acts in separate statement at nos. 1-A and 1-B and all evidence cited to thereat.) Scientology also knew prior to my arrival in Los Angeles to "sign" the "settlement contract" that it had obtained Flynn's agreement to

not represent or defend me if it attacked me after the "settlement." Flynn stated in the "settlement agreement" with his clients that "he or his firms's members have been required to defend approximately 17 lawsuits and/or civil/criminal contempt actions instituted by the Church of Scientology against him, his associates and clients, that he and his family have been subjected to intense and prolonged harassment." (Plaintiff's Ex. 1(C)-B at p. 5) Scientology knew of all of its harassment of Flynn and its judicially condemned "fair game" policy and practices. Flynn advised me that if I did not sign the "settlement contract" he and everyone else would continue to be subjected to "fair game." Flynn specifically mentioned, when pressuring me to sign, Scientology's threat to his family and that it has ruined his marriage and his wife's health. My careful weighing of my options, noted by this Court, in fact reflects the duress I was under to sign, and is not reflective of an absence of duress.

9. Every act by me which Scientology considers a breach of its "settlement contract" was precipitated by Scientology's refusal following the "settlement" to discontinue its acts of "fair game." These acts are shocking and have caused me extreme emotional hurt. They involve Scientology's publication and international dissemination of perverse and false statements concerning my history in Scientology and in my litigation battle with Scientology. There can be no doubt that Scientology considers me "fair game," considered me "fair game" after the "settlement," and that I am in grave personal danger. Scientology's publication of perverse and false statements about his history and the personal danger it continues to put me in require my response to defend myself in every legal way possible.

Scientology's head private investigator, Eugene M. Ingram, a former vice sergeant of the Los Angeles Police Department, reputed to have been busted from the force for pandering and taking payoffs from drug dealers, has threatened to murder me, illegally videotaped me, pressed false criminal charges against, and spread the false rumor I have AIDS. To defend myself and others I must be able to speak freely, write freely and meet freely with people who are likewise Scientology's "fair game" targets. Scientology attacks my church and religion, and lies publicly about its relationship to my church and religion, and for those reasons, even if Scientology had not attacked me personally and had not threatened my life, I must speak out against its antireligious nature. I believe that no court under this country's Constitution, until Scientology completely subverts it, can legally order me to not oppose and expose Scientology's anti-Christian writings and nature.

10. Scientology complains that I gave a videotaped interview during the 1992 convention of the Cult Awareness Convention ("CAN"), and it says it is due $50,000 in liquidated damages for the "breach" of its "settlement contract." As shown above, the liquidated damages provision is invalid and unenforceable. But, assuming arguendo that it could have been enforceable, it was rendered unenforceable as soon as Scientology mentioned one word about my history after the "settlement." In fact, the "settlement contract" specifically states that I released Scientology from liability for all its acts against me only up to the date of signing. I did not release Scientology for future acts, and I could not release such future acts. When Scientology published its statements of my history it engaged me in a controversy in

which I am able to respond without breaching the subject "contract." Some of Scientology's known post-settlement "fair game" acts are listed at nos. 16A. and 84 of my separate statement, along with supporting evidence cited therein.

11. I attended the 1992 CAN Conference because this is a group a people who share a common experience with me of either abuse by a dangerous cult or having a family member ensnared in or abused by a dangerous cult. I depend on people such as CAN members for psychological support and for defense. I support CAN in its purposes of educating the public about dangerous cults and in its defense from those cults such as Scientology which seek to keep the public uneducated about their destructive practices and natures. When I arrived at the conference I observed Eugene Ingram and a bunch of Scientologists harassing, taunting and videotaping CAN conferees. The Scientologists verbally abused the conferees, calling them, for example, kidnappers and criminals. Ingram taunted me, accused me of having AIDS, said I looked like I was dying of AIDS, said someone in my attorney Ford Greene's family had AIDS, insinuating in his statement that Mr. Greene and I were involved in homosexual sex. This is part of Scientology's "black propaganda" campaign discussed by former Scientology operative Garry Scarrf in his declaration executed February 11, 1993 and filed in this case. (Exhibit 8-A). I was shocked by Ingram's and Scientology's attacks on me and on the other innocent conferees, and it was largely because of these attacks that I determined to do whatever I could when called upon to oppose and expose Scientology's dangerous practices and defend people from those dangerous practices. Thus I gave an interview. I did not come to the CAN Conference to harass Ingram and Scientology; they

came to the conference to harass me and my friends.

12. Scientology claims that I sent Newsweek reporter Charles Fleming a letter and "attached several documents detailing [my] claimed Scientology knowledge and experiences." (Motion for Summary Adjudication of 13th, 16th, 17th and 19th causes of action ("motion") at 8:12-16) Scientology claims it is due $50,000 for this "unequivocal breach." A reading of the letter (Scientology's exhibit 1(J), reveals that the documents I sent were Scientology's complaints filed in 1993. The only detailing of my Scientology experiences was done by Scientology in its own pleadings. The cases in which Scientology has sued me are, thus far, in open court. I am not barred from sending any document filed in these cases to anyone in the world. I am not barred from talking to the media about my case. I am not barred from writing my complete Scientology history in minute detail and filing it in this Court or in the bankruptcy proceeding Scientology maintains against me. I am not barred from then sending that detailed history to anyone in the world, including Newsweek or any other media entity. I say that to point out how ridiculous Scientology's "settlement contract" is, and how its own lawsuits and other "fair game" actions have resulted in my history being disseminated around the world.

13. Scientology claims that my speaking to Mr. Fleming about Lawrence Wollersheim's case is an "unequivocal breach of paragraph 7(d)." (Motion at 8:8-11) It isn't. Para. 7(d) requires that I not discuss my "experiences with the Church of Scientology and any knowledge or information [I] may have concerning the Church of Scientology, L. Ron Hubbard" etc. It does not require that I not discuss any knowledge or information I may later learn. In fact I

learned all of what I told Mr. Fleming about the Wollersheim case after December, 1986. This also points out the ridiculousness of the "settlement contract." Scientology has sued me five times. It has included its view of my history in its lawsuits. All my history is intertwined with the history in the litigations. Much of my Scientology history is included in books and other publications I have read since the "settlement." Scientology keeps me interested in such publications by continuing to attack me. Even if I forgot all my history, I could relearn it from what has been published around the world; and, even if the "settlement contract" were not against public policy and unenforceable, I could newly learn of my history and tell the world. The "contract" is, however, against public policy and unenforceable, because it is a slavery contract. It is evil, and it is the product of clever lawyers being too clever. Ultimately Scientology will have to realize that it paid me to dismiss my lawsuit and for the opportunity I gave it to cease fair game, including by giving it the evidence I had gathered and by being silent and taking its threats and abuse for over three years. Ultimately Scientology will have to accept that evil contracts no matter how clever cannot keep evil from the light of truth. Scientology attempted to have me jailed for contempt of court for providing a declaration, at Lawrence Wollersheim's request, concerning Scientology's obnoxious litigation practices. I had every right to interest Newsweek and the rest of the world in the Wollersheim case, which is itself reflective of Scientology's obnoxious practices. Los Angeles Superior Court Judge Diane Wayne, in the instant case, dismissed all contempts against me. (See Ex. 7-L, July 29, 1994 order)

14. Scientology claims that my comments to Charles Fleming in connection with an article he was doing on Scientology's efforts to get L. Ron Hubbard's booklet "The Way to Happiness" distributed in and accepted by public schools, are an "unequivocal breach." The fact is, Scientology's efforts are covert and dangerous and should be opposed by anyone who knows anything about this organization. I am grateful Fleming wrote the artiocle and called me. Inside Scientology "The Way to Happiness" is part of its "scriptures," its "mental technology." Outside Scientology, the organization calls the booklet "non-religious." It is used as a vehicle to get people interested in Scientology, which claims to be a "religion." Scientology employs a similar bait and switch with my fellow Christians. Scientology promotes that it is compatible with Christianity and "Scientologists hold the Bible as a holy work and have no argument with the Christian belief that Jesus Christ was the Savior of Mankind and the Son of God." In its core, however, Scientology teaches that Christ and God are "implants," false ideas installed in humans millions of years ago by pain and electronics to enslave mankind. (See, e.g., Third Party Declarations of Hana Whitfield and Dennis Erlich, Exhibits 1, 1-A, 1-B, 1-C; 2, 2-A, 2-B) It is completely unfair and dishonest that Scientology's "scriptures" (Way to Happiness) are covertly infiltrated into the public schools as "non-religious," to act as recruiting devices for the anti-Christian Scientology cult, whereas the scriptures of openly religious Christians are barred from public classrooms. Religion in public schools and the separation of church and state are current and important public issues, and I cannot be denied the right to enter into discussions, studies and reports on such issues. I had not only a

right but a duty to oppose Scientology's duplicitous efforts to subvert the school system and ensnare the country's youth. Scientology promotes that its mental technology raises IQ a point per hour of "auditing." It not only does not, but it makes its adherents actually less intelligent, as well as more aggressive and antisocial.

15. Scientology complains that whatever I said on E!TV is a breach of the "settlement contract." On its face that may be; however, Scientology itself published false and perverse versions of my history long before I responded, and in violation itself of the spirit of settlement and language of the "contract." The "contract," e.g., contains the following language:

7 I. "...the "slate" is wiped clean concerning past actions by any party."

18. "(D) The parties hereto and their respective attorneys each agree not to disclose the contents of this executed Agreement. Nothing herein shall be construed to prevent any party hereto or his respective attorney from stating that this civil action has been settled in its entirety.

(E) The parties further agree to forbear and refrain from doing any act or exercising any right, whether existing now or in the future, which act or exercise is inconsistent with this Agreement."

There is a clear implication that Scientology was agreeing to not continue to discuss or publish anything about me or my history. It had also promised as a specific part of the "settlement" and as an inducement to settle that it would discontinue all "fair game" activities against me, Flynn and everyone else. But even if the "contract" is not interpreted to mean that Scientology could not after the "settlement" continue to to discuss or publish anything about me or my history, I am not barred from responding in any way or in any medium or context to any such post-settlement discussions or publications. By August 1993, Scientology had sued me three times based on false allegations, including false statements about my pre-settlement history, and had published and disseminated "dead agent" packs about me and my history, and "black propaganda" (Hubbard's term for lies intended to destroy someone's reputation) about me, which included false and/or perverse ad hominem attacks. (See, e.g. separate statement no. 84, and the evidence cited to therein.) These attacks include, but are not limited to, e.g., that I am an agent provocateur of the US government; that I committed perjury; that I posed nude in a newspaper; that my defense in my 1984 trial was a sham and a fraud; that the LAPD authorized [Scientology's] illegal videotaping of me; that I wanted to plant fabricated documents in Scientology files and tell the IRS to conduct a raid; that I wanted to plunder Scientology; that my motives in writing attorney Eric Lieberman regarding the Nothling case were money and power; that I was incompetent as a researcher on the Hubbard biography project; that I wanted to orchestrate a coup in which members of the US Government would wrest control of Scientology; that I was formerly a heavy drug user; that I was paid to provide homosexual sex; and that I had AIDS. None of these charges relate to my alleged breaching of Scientology's evil "contract," but were personal attacks on my character and history, to which I am not barred by the "contract" from responding. Scientology was also during that period attempting to have me jailed on false contempt of court charges. I wrote the treatment for a movie to be done about my Scientology history to clear my name in the most profound manner I could, and I agreed to the E!TV interview for the same purpose. Scientology has gone out of its way to not do exactly what it must do by the "contract:" "to forbear and refrain from doing any act or exercising any right, whether existing now or in the future, which act or exercise is inconsistent with this Agreement." Scientology says that the purpose of the "settlement contract" was to achieve peace. (See, e.g., first amended complaint, Scientology's request for judicial notice, Exhibit A, at 3:13,14.) There is no peace if one of the parties continues to assault the other; and such assaults are inconsistent with a peace accord. If Scientology's purpose for "settling" was not peace, then it obtained my signature on its "peace accord" by fraud; which is exactly what they did. Scientology, by its own actions, lost any right it ever had to silence me judicially. It must now allow the marketplace of ideas to be the judge in its worldly conflict with me. In its spiritual battle with me there is another judge, Almighty God.

16. Scientology claims that my being an expert witness in the Fishman case is a violation of the "contract." It may have been at one time, but it is allowed by the preliminary injunction issued by Judge Ronald Sohigian in this case in May, 1992. (See Scientology's request for judicial notice in support of motion for summary adjudication of the 20th cause of action of plaintiff's second amended complaint, exhibit P, minute order, at p. 2) Where Scientology required by its "contract" that I avoid service of subpoenas, Judge Sohigian permits me to be reasonably available for such service. Where Scientology's "contract" required that I not assist or cooperate with any person adverse to Scientology in

any proceeding and not cooperate in any manner with any organization aligned against Scientology, Judge Sohigian permitted me to assist any organization in any manner and any person defending against Scientology in any manner; and he required only that I not assist persons prosecuting or intending to prosecute claims against Scientology, unless pursuant to subpoena. Steven Fishman and Uwe Geertz were defendants against Scientology, not claimants. Moreover, I could have made myself available to be served with a subpoena to testify in their case, and I would have done so.

17. Scientology claims that I admitted that I spoke multiple times with attorney Graham Berry concerning my Scientology knowledge and experiences. (Motion at 9:13-16) Scientology claims that I admitted this in the deposition transcript excerpts it includes in its evidence at Exhibit 1Q. A reading of these excerpts, however, reveals that I say "I don't think beyond, very generally, if at all, that is, if it was discussed at all, whether the specifics of what I would testify to go into, but I think that Mr. Berry's understanding of my history, and my present involvement in litigation, and what I've said about myself, and my areas of expertise are pretty well known and accepted." Graham Berry is a specialist expert attorney in Scientology litigation. He is one of Scientology's major "fair game" targets. He has represented several people against the Scientology organization. He also represented Joseph A. Yanny as intervenor and amicus curiae in this case. (See, e.g., Scientology's evidence Exhibit 1C, declaration of Graham E. Berry to all evidence filed herein May 7, 1992) The idea that I could not communicate with the attorney for amicus curiea in my own case is absurd. But Graham

Berry knows my history and my areas of Scientology expertise in such detail I do not have to tell him anything for him to know what I would testify about as an expert; and I did not personally provide him with any of the information he included in his brief narrative regarding my expected testimony. (Scientology's Exhibit 1P)

18. As for my January 27, 1994 letter to Graham Berry, this contains none of my experiences in Scientology or knowledge gained in Scientology. I didn't meet Ed Walters until long after I left Scientology, and didn't meet Ed Roberts until 1991. As stated above, I am not barred from assisting defendants against Scientology such as Steven Fishman and Uwe Geertz in any way.

19. Scientology claims that I met with Graham Berry "and a cadre of other anti-Scientology litigants and would-be witnesses, at Berry's office, wherein all discussed Scientology, their claimed knowledge and experiences and the Fishman case." (Motion at 9:20-24) Scientology claims that this is shown in the excerpt from my deposition at its exhibit 1Q. A reading of this excerpt, however, supports none of these charges. I stated in deposition that the substance of the conversation at Mr. Berry's office "principally concerned the Fishman case, and that around that time Scientology had either dismissed the case or found something to dismiss the case or it was in that stage toward the end of the litigation. And the communications -- the only ones which stand out were on that subject.... There was a dismissal in progress .... and my recollection was that we communicated about that during the brief time I was there for lunch." (Scientology's Exhibit 1Q at 784:7-785:13) During this visit to Mr. Berry's office I met with no would-be witnesses, but honest-to-God

witnesses. None of them are anti-Scientology; they are anti-"fair game," just as I am. If Scientology knocked off its dangerous and repugnant "fair game" doctrine and practices it would discover that these witnesses are its best friends. Scientology's worst enemies are its leaders who keep "fair game" going and lead its adherents further and further into danger and depravity. The claim by Scientology that I along with the others in Mr. Berry's office "all discussed Scientology, [and our] claimed knowledge and experiences," when the "proof" supplied by Scientology shows nothing of the kind, points out another reason why the "settlement contract" must not be enforced, why I considered it from the outset unenforceable, and why I will oppose its enforcement until my last breath. The people seeking to enforce it; i.e., Scientology's leaders and lawyers, are dishonest and mal-intentioned. They will manufacture "breaches," and "evidence," just to be able to attack and destroy me, not because their organization is damaged by anything I say or do. These leaders and lawyers have sent covert intelligence operatives to me to request my help and get me to talk about my experiences for many years. One of those agents was a Peter Comros (sp?) who posed as an employee of the government of Isreal. Indeed, I assume everyone who approaches me for help is a Scientology covert intelligence agent, and since I am not barred from talking to or assisting Scientology agents I am free to talk to and assist anyone. This is ridiculous, but is only so because Scientology and its "contract" are ridiculous. When Scientology ceases its dangerous covert intelligence activities it will be time for me to stop talking to everyone.

20. Scientology claims that my declarations (Scientology's

Exhibits 1S and 1T) executed February 22, and April 24, 1994 and filed in the Fishman case are breaches of its "settlement contract." They are not. They are illustrative, however, of why the "contract" can never be enforced. They are illustrative of the fact that the intention and effect of the "settlement contract" and Scientology's enforcement thereof are obstruction of justice. Both of my declarations are in direct response to post-"settlement" actions taken by Scientology concerning me and my history. Nowhere in the "contract" does it state that I may not respond to such post-"settlement" acts. Common sense says that such a "contract," which does not spell out in advance what acts I would be permitting Scientology to perform without my being able to respond is illegal because it allows unlimited illegality. Indeed, a strict reading of the "settlement contract" would not allow me to respond to or even report assault or attempted murder. Judge Sohigian recognized this; thus he stated in his May, 1992 order, "The court does not intend....to prohibit defendant Armstrong from:...properly reporting or or disclosing to authorities criminal conduct of [Scientology}." (Scientology's request for judicial notice in support of motion for summary adjudication of the 20th cause of action of plaintiff's second amended complaint, exhibit P, minute order, at p. 2) My February 22, 1994 declaration was in direct response to perjurious statements made about my history by Scientology supreme commander David Miscavige in his declaration executed February 8, 1994 and filed in Fishman. (See Miscavige declaration, Exhibit 8F, at 31:22-32:14. I had not filed anything or made any statement in the Fishman case before Miscavige made his statements about me and my history. Miscavige states in his declaration that "In a police-sanctioned investigation, Gerry Armstrong was captured on video tape acknowledging his real motives, namely a plot to overthrow the Church leadership and gain control of the Church." As I state in my February 22, 1994 declaration, there was no "police-sanctioned investigation." Miscavige's organization and its head private investigator Eugene Ingram, who works directly for Miscavige, paid a corrupted Los Angeles Police Department officer to sign a phony "authorization." When the fact of the phony authorization and illegal videotaping surfaced, LAPD Chief Daryl Gates issued a public announcement which stated:

> "It has come to my attention that a member of the L.A.P.D. very foolishly, without proper authorization and contrary to the policy of this Department, signed a letter to Eugene M. Ingram, believed to have been drafted by Ingram himself. The letter purports to authorize Ingram to engage in electronic eavesdropping. The letter along with all the purported authorization, is invalid and is NOT from the Los Angeles Police Department.
>
> The Los Angeles Police Department has not cooperated with Eugene Ingram. It will be a cold day in hell when we do.
>
> I have directed an official letter to Ingram informing him that the letter signed by Officer Phillip Rodriguez dated November 7, 1984, and all other letters of purported authorizations directed to him, signed by any member of the Los Angeles Police Department are invalid and unauthorized."

The Gates statement has been filed in many Scientology cases, all of which Miscavige oversees and directs. His calling the illegal videotape operation, which he also oversaw and directed, "police-sanctioned," is perjury. The rest of his statements about me, the Breckenridge decision and my history are likewise false. I had every right to respond to Miscavige's false statements because they occurred after the 1986 "settlement," and I am not barred from responding to post-"settlement" statements. I also had every right to respond because his statements are perjurious and I am specifically permitted by the Sohigian order to report such criminal activity. Miscavige considered his statements about me so indispensable in his prosecution of the Fishman case that he was willing to commit perjury to get them before the Court. My statements to provide the truth correcting his perjury can be no less indispensable in the case. It is unfair, unamerican and obstructive of justice to bind someone with a contract by which he is unable to respond to false charges made about him in our courts of law. It is an outrage that the perjurer, Miscavige, who operates all Scientology litigation, now presses this Court to rip me for $50,000 for telling the truth.

21. After my February 22, 1994 declaration was filed in Fishman, Scientology sought to have my declaration sealed. Thus I wrote my April 24, 1994 declaration. As I point out, the goals of Scientology's efforts to seal files and documents such as my declarations are to generate confusion, give it unwarranted opportunities to bring charges against its enemies, and to rewrite its criminal and antisocial history. All of these goals add up to obstruction of justice. I had a right to oppose Scientology's effort to seal my declaration for my own defense; and I had a right, as permitted by the Sohigian order, to report Scientology's

criminal activities; i.e., its obstruction of justice. The authority to whom such activities should be reported in that context was the Federal Court Judge presiding over the Fishman case, and that is what I did through my declaration.

22. Finally, there is a need to address the unfathomable way in which Scientology is calculating its liquidated damages, and therefore what constitues a "breach" of its "contract." In its first amended complaint, Scientology claims that for a single letter I wrote on December 22, 1992, in which I attempted to bring peace to its conflict, it is due $950,000.00 in liquidated damages. (First amended complaint, fourteenth cause of action, Scientology's request for judicial notice, Exhibit A at 20:8-21:7). In its motion it claims that, e.g., (albeit falsely), I "spoke multiple times with Geertz' counsel, Graham Berry, concerning [my] claimed Scientology knowledge and experiences;" "met with a cadre of other anti-Scientology litigants and would-be witnesses, at Berry's office, wherein all discussed Scientology, their claimed knowledge and experiences;" and "furnished Berry with not one, but two declarations describing [my] claimed Scientology knowledge and experiences;" and that for all these "breaches" involving all these people Scientology seeks a "mere" $50,000.00. There appears to be no rhyme nor reason to its calculation of its "damages;" only whim. Indeed, these unfathomable, whimsical calculations simply demonstrate the ridiculous nature of the "contract," rendered, in Scientology's untrustworthy hands, horribly cruel.

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I declare under the penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed at San Anselmo, California, on September 9, 1995

G.

GERALD ARMSTRONG

EXHIBIT 10(A): Videotape taken by Eugene Ingram of Gerald Armstrong at November, 1992 Cult Awareness Convention, produced by Scientology herein (lodged separately).

ORIGINAL

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(SPACE BELOW PROVIDED FOR FILING STAMP ONLY)

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FILED

SEP 18 1995

HOWARD HANSON
MARIN COUNTY CLERK
by J. Steele, Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF MARIN

CHURCH OF SCIENTOLOGY INTERNATIONAL, a California not-for-profit religious corporation, Plaintiff, vs. GERALD ARMSTRONG; MICHAEL WALTON; THE GERALD ARMSTRONG CORPORATION, a California for-profit corporation; DOES 1 through 100, inclusive, Defendants.	No. 157 680 DEFENDANT'S OPPOSITION TO MOTION FOR SUMMARY ADJUDICATION ON THE THIRTEENTH, SIXTEENTH, SEVENTEENTH, AND NINETEENTH CAUSES OF ACTION Date: September 29, 1995 Time: 9:00 a.m. Dept: One (1) Trial Date: None Set

I. INTRODUCTION

With respect to Armstrong's opposition to the thirteenth, sixteenth, seventeenth and nineteenth causes of action, Armstrong specifically adopts and incorporates all facts and legal arguments set forth in his opposition to Scientology's motion for summary adjudication of the twentieth cause of action.

II. STATEMENT OF FACTS

Prior to the execution of the settlement agreement in later 1986, Gerald Armstrong had been the subject of the unrelenting application of Scientology's fair game policy. (Sep.St. Defendant's Evidence ¶ 41) Armstrong had not subjected Scientology to fair game and did not have any such policy. (Sep.St. Defendant's Evidence ¶ 42) Scientology contracted with Armstrong's former counsel, Michael Flynn, to not represent or defend him in the event that Scientology continued to attack Armstrong. (Sep.St. ¶ 43) The liquidated damages provision applied to over seventeen years of Armstrong's life concerning which it was not possible for him to be silent. (Sep.St. ¶ 44) Although Scientology induced Armstrong to enter the agreement by promising to cease its fair game activities, it had no intention of so doing. In fact, its true intention was to publish its own false accounts of Armstrong's history. (Sep.St. ¶ 45) Immediately after the "settlement," Scientology provided its account of Armstrong's history, and documents regarding that account, to the *Los Angeles Times* and to the *London Sunday Times*. (Sep.St. ¶ 46)

By virtue of paragraph 4-B of the settlement agreement Scientology was going to appeal Judge Breckenridge's decision against it unopposed by Armstrong, which it did. Thus, through the acts of Scientology and its lawyers at the time of the settlement, Armstrong's entire history which was contained in the trial court record, became a public record in the court of appeal. (Sep.St. Defendant's Evidence ¶ 47) Since Scientology maintained its appeal of Judge Breckenridge's decision, and concomitantly subjected Armstrong to further fair game actions, it fomented controversy and the potential for further litigation. (Sep.St. ¶ 48)

Scientology was not damaged in any way monetarily by any statement made by Armstrong prior to the settlement. (Sep.St. ¶ 49) There is no relationship between the actual damages suffered by Scientology and the $50,000 liquidated damages provision. (Sep.St. ¶ 50) In its first amended complaint, Scientology sought $950,000 for a single letter written by Armstrong on December 22, 1992 pursuant to the liquidated damages provision. (Sep.St. ¶ 75) In Scientology's instant motion it claims that Armstrong spoke multiple times with anti-Scientology lawyer Graham E. Berry, met with a cadre of other anti-Scientology witnesses, and discussed his experiences in Scientology. Armstrong also provided two declarations to Mr. Berry. For this alleged misconduct Scientology claims $50,000 in liquidated damages. (Sep.St. ¶ 76)

All of the money that Scientology has spent on litigation concerning Armstrong has been to further its fair game goals in violation of Armstrong's basic human and civil rights, not on repairing the "damage" that Armstrong has "done." (Sep.St. ¶ 51)

Before he signed the settlement, Armstrong saw the liquidated damages provision as wrong and his attorney agreed. (Sep.St. ¶ 52-53) Armstrong's former attorney, Michael Flynn, cannot testify on Armstrong's behalf because he fears Scientology's retaliation. (Sep.St. ¶ 54)

Nancy Rhodes, another one of Flynn's clients who participated in the "universal settlement," signed a settlement agreement for which she was paid $7,500. Her agreement includes a $50,000 liquidated damages provision. (Sep.St. ¶ 55-56) Flynn also told Ms. Rhodes that the agreement was not enforceable. (Sep.St. ¶ 57-60)

Michael Douglas, another one of Flynn's clients who participated in the "universal settlement," signed a settlement agreement for which he was paid $7,500. His agreement includes a $50,000 liquidated damages provision. (Sep.St. ¶ 63-64)

In an agreement among Flynn and the multiple clients he represented in the "universal settlement" no mention is made of any relationship between the money each was to receive and the rights that each person was giving up, or how much damage each person could cause by speaking out about Scientology. (Sep.St. ¶ 65)

At the time of settlement, Armstrong's bargaining power was not at all equal to Scientology. (Sep.St. ¶ 67) Without ever seeing the agreement, Armstrong was flown from Boston to Los Angeles where he was positioned as a deal breaker with respect to a multitude of other persons, also represented by Flynn, that were part of the settlement. In addition, if Armstrong did not sign, fair game would continue against him and the other settlement participants. (Sep.St. ¶ 68) At the time of settlement, Armstrong's net worth was zero while Scientology's worth was $500 million. (Sep.St. ¶ 69) Before Armstrong arrived in Los Angeles, Mr. Flynn had signed an agreement with Scientology promising not to represent Armstrong in the future which for practical purposes caused Armstrong not to be represented. (Sep.St. ¶ 70) Scientology had millions of dollars and a formidable litigation machine in place and operating which had compromised Armstrong's own attorney. (Sep.St. ¶ 71) When Armstrong objected to the liquidated damages provision, Mr. Flynn told him that it was not worth the paper it's printed on. (Sep.St. ¶ 72-73) If Flynn had told Armstrong that the liquidated damages provision was valid and enforceable, Armstrong would not have signed the agreement. (Sep.St. ¶ 74)

LEGAL ARGUMENT

III. THE LIQUIDATED DAMAGE PROVISIONS ARE UNENFORCEABLE PENALTIES

A. The Analysis Is Controlled By Civil Code Section 1671 (d) Because Armstrong At All Relevant Times Was a Consumer Of Scientology

Civil Code section 1671 prescribes two alternative standards for determining the validity of a liquidated damages provision. Under subdivision (b), the provision "is valid unless the party seeking to invalidate the provision establishes that the provision was unreasonable under the circumstances existing at the time the contract was made." (*Hitz v. First Interstate Bank* (September 14, 1995) 1995 Cal.App. LEXIS 890, 19) Under subdivisions (d), the provision "is void except that the parties to such a contract may agree therein upon an amount which shall be presumed to be the amount of damage sustained by a breach thereof, when, from the nature of the case, it would be impracticable or extremely difficult to fix the actual damage." (*Id.* at 21) Subdivision (d), rather than (b), controls to consumer contracts. (*Ibid.*)

It is without question that Armstrong was a consumer of Scientology's technology from 1971 through 1981 and that the original *Armstrong* litigation arose in the context of this relationship. Thus, subdivision (d) controls.

> For liquidated damages to be valid under subdivision (d) of Civil Code section 1671, it must have been "impracticable or extremely difficult to fix the actual damage." (*Civ. Code* § 1671, subd. (d).) Further, the amount of liquidated damages "must represent the result of a reasonable endeavor by the parties to estimate a fair average compensation for any loss that may be sustained. (*Garrett v. Coast & Southern Fed.*

> *Sav. & Loan Assn., supra,* 9 Cal.3d at p. 739.) Absent, either of these elements, a liquidated damages provision is void, although breaching parties remain liable for the actual damages resulting from the breach. (*Beasley v. Wells Fargo Bank, supra,* 235 Cal.App.3d at p. 1390.)

(*Id.* at 27-28)

Since Scientology has failed to come forward with any evidence of having engaged in a reasonable endeavor to estimate compensation for any breach, the liquidated damages provisions are void.

B. Pursuant To Civil Code Section 1671 (b) The Liquidated Damages Provisions Are Not Enforceable

Subdivision (b) of the 1977 amendments to the statute was "designed to favor enforcement of liquidated damage clauses by shifting the burden of proof to parties who wish to invalidate liquidation provisions." (*H.S. Perlin Company, Inc. v. Morse Signal Devices* (1989) 209 Cal.App.3d 1289, 1298) The factors to be considered when analyzing the validity of liquidated damages under subdivision (b) are set forth in the Comment to the statute. Thus, the

> "validity of the liquidated damages provision depends upon its reasonableness at the time the contract was made and not as it appears in retrospect ... All the circumstances existing at the time of the making of the contract are considered, including the relationship that the damages provided in the contract bear to the range of harm that reasonably could be anticipated at the time of the making of the contract. Other relevant considerations in the determination of whether the amount of liquidated damages is so high or so low as to be unreasonable include, but are not limited to, such matters as the relative bargaining power of the parties, whether the parties were represented by lawyers at the time the contract was made, the anticipation of the parties that the proof of actual damages would be costly or inconvenient, the difficulty of proving causation and foreseeability, and whether the liquidated damages provision is included in a form contract."

(*Civil Code 1671*at Law Revision Commission Comment, 1977 Amendment).)

Given the fact that Judge Breckenridge found Armstrong to be "credible, [and] extremely persuasive" the only way that one can view the harm that would flow from Armstrong telling the world about his experiences in Scientology would be in conjunction with Scientology's promise to cease its fair game actions against Armstrong and others. The rationale for this would be that if Scientology had changed by no longer promulgating and practicing the fair game doctrine, it would be unfair and harmful to it for its criminal past [1] to constantly resurface and undermine its efforts in the present to rehabilitate itself and act properly. Otherwise, how could Scientology be damaged by Armstrong telling the truth about its abuses and those of its founder?

The relationship of the parties at the time the agreement was entered into was disparate. Scientology had practiced fair game on Armstrong and his attorney, Michael Flynn, for years. Armstrong did not have any fair game policy of his own that he used to attack Scientology. His approach to Scientology was then, as it is now, dedication to the truth and faith in God. The amount of the damages per utterance are extremely high, $50,000. Such would support an inference that the parties were not in any equality of bargaining power.

Although Armstrong was putatively represented by Michael Flynn at the time he entered into the agreement, Flynn had already made a deal with Scientology promising never to represent Armstrong in the future. In addition, Flynn had Armstrong come out to Los Angeles from Boston for the purpose of executing the agreement even though no copy of the agreement was first provided to Armstrong. After Armstrong had been presented with a copy of the agreement and balked, particularly with respect to the liquidated damages provisions, he was positioned as a deal breaker with respect to the 15 people who were involved in the same universal settlement transaction. Indeed, Flynn was settling his own claims against Scientology as part of the universal settlement. Thus, Armstrong was not represented by an attorney with undivided loyalty.

IV. THE LIQUIDATED DAMAGES PROVISIONS ARE UNCONSCIONABLE

Civil Code section 1670.5 provides in part

> (a) If the court as a matter of law finds the contract or any clause of the contract to have been unconscionable at the time it was made the court may refuse to enforce the contract, or it may enforce the remainder of the contract without the unconscionable clause, or it may limit the application of any unconscionable clause as to avoid any unconscionable result.

The doctrine of unconscionability applies to all provisions of all contracts. (*H.S. Perlin, supra,*

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[1] In this regard, the Court is not only referred to Judge Breckenridge's decision, but also to the case where a number of high-ranking Scientology officials pleaded guilty to burglarizing federal government offices and obstruction of justice, (*United States v. Heldt* (1982) 668 F.2d 1238), and the case wehrein it was held that certain Scientology attorney-cleint communications fell within the scope of intended illegality in relation to the crime-fraud exception to the attorney client privilege. (*U.S. v. Zolin* (9th Cir. 1990) 905 F.2d 1344, 1345.)

209 Cal.App.3d at p. 1300.) It has both a procedural and substantive element.

> The procedural element focuses on two factors: "oppression" and "surprise." [Citations.] "Oppression arises from an inequality of bargaining power which results in no real negotiation and "an absence of meaningful choice." [Citations.] ... no precise definition of substantive unconscionability can be proffered. Cases have talked in terms of "overly harsh" or "one-sided" results. [Citations.] One commentator has pointed out, however, that "... unconscionability turns not only on a 'one-sided' result, but also on an absence of 'justification' for it [citation] . . . The most detailed and specific commentaries observe that a contract is largely an allocation of risks between the parties, and therefore that a contractual term is substantively suspect if it reallocates the risks of their bargain in an objectively unreasonable or unexpected manner. [Citations.] But not all unreasonable risk allocations are unconscionable; rather, enforceability of the clause is tied to the procedural aspects of unconscionability [citation] such that the greater the ... inequality of bargaining power, the less unreasonable the risk allocation which will be tolerated.

(*Id* at 1301) [2]

In the instant case, there is serious unconscionability in the procedural sense given the inequality of bargaining power between Scientology and Armstrong, as discussed above and set forth in greater detail; in Armstrong's separate statement. What is most obvious is the substantive unconscionability. It is clear that as Scientology seeks to have it enforced the agreement is one-sided: Scientology can slander Armstrong and he must remain mute or get hit with a $50,000 liquidated damage assessment. What is the possibly justification for such a one-sided agreement? If you listen to Scientology, it is because Armstrong is a liar and fomenter of anti-Scientology litigation. But if what Scientology says is true, you must throw out the decision of Judge Breckenridge which has been affirmed on appeal in a published decision. That makes no sense. It makes no sense to accept the characterization of an organization that has a long recorded history of abuse of individuals and the legal system and to disregard a well-respected superior court judge.

The only way that the liquidated damage provision makes sense is if Scientology had in fact foresworn its policy and practice of fair game. If that, in fact, was true, then Scientology could be hurt by the constant resurgence of its dirty past. Assuming without conceding the truth of the forgoing proposition, Scientology never gave up fair game because it proceeded to slander Armstrong almost as soon as the ink had dried on the paper in an effort to dead agent him through black propaganda. This being the case, there is no objective harm that the liquidated damage provisions could cure because what Armstrong had to say was the truth. The only way that the truth could be harmful to Scientology was if Scientology was trying to suppress the truth while continuing to engage in illegality and misconduct which then brings one back to the argument that the agreement is void because it violates public policy.

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[2] The first court to have reviewed the settlement agreement said, "So my belief is Judge Breckenridge, being a very careful judge ... if he had been presented with that whole agreement and if he had been asked to order its performance, he would have dug his feet in because that is one ... I'll say one of the most ambiguous, one-sided agreements that I have ever read. And I would have not ordered the enforcement of hardly any of the terms if I had been asked to, even on the threat that okay, the case is not settled. [¶] I know we like to settle cases. But we don't like to settle cases and, in effect, prostrate the court system into making an order which is not fair or in the public interest." (Sep.St. ¶100)

In sum, whichever way one analyses the liquidated damage provisions, one can only conclude that one way or the other said provisions are unconscionable and should not be enforced.

V. CONCLUSION

Based on the foregoing, Defendant Gerald Armstrong respectfully requests that the motion for summary adjudication should be denied.

DATED: September 18, 1995

HUB LAW OFFICES

By:

FORD GREENE
Attorney for Defendant
GERALD ARMSTRONG

PROOF OF SERVICE

I am employed in the County of Marin, State of California. I am over the age of eighteen years and am not a party to the above entitled action. My business address is 711 Sir Francis Drake Boulevard, San Anselmo, California. I served the following documents:

DEFENDANT'S OPPOSITION TO MOTION FOR SUMMARY ADJUDICATION ON THE THIRTEENTH, SIXTEENTH, SEVENTHEENTH AND NINETEENTH CAUSES OF ACTION; ARMSTRONG'S SEPARATE STATEMENT OF DISPUTED AND UNDISPUTED FACTS IN OPPOSITION TO MOTION FOR SUMMARY ADJUDICATION OF THE TWENTIETH CAUSE OF ACTION ON THE SECOND AMENDED COMPLAINT; DEFENDANT'S EVIDENCE IN OPPOSITION TO MOTION FOR SUMMARY ADJUDICATION ON TWENTIETH CAUSE OF ACTION

on the following person(s) on the date set forth below, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid to be placed in the United States Mail at San Anselmo, California:

Andrew Wilson, Esquire
WILSON, RYAN & CAMPILONGO
235 Montgomery Street, Suite 450
San Francisco, California 94104

BY HAND

LAURIE J. BARTILSON,ESQ.
Bowles & Moxon
6255 Sunset Boulevard
Suite 2000
Los Angeles, California 90028

[X] (Personal Service) I caused such envelope to be delivered by hand to the offices of the addressee.

[X] (By Mail) I caused such envelope with postage thereon fully prepaid to be placed in the United States Mail at San Anselmo, California.

[X] (State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

DATED: September 18, 1995

ORIGINAL

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SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF MARIN

CHURCH OF SCIENTOLOGY INTERNATIONAL, a California not-for-profit religious corporation,

Plaintiff,

vs.

GERALD ARMSTRONG; MICHAEL WALTON; THE GERALD ARMSTRONG CORPORATION, a California for-profit corporation; DOES 1 through 100, inclusive,

Defendants.

No. 157 680

DEFENDANT'S OPPOSITION TO MOTION FOR SUMMARY ADJUDICATION ON THE TWENTIETH CAUSE OF ACTION

Date: September 29, 1995
Time: 9:00 a.m.
Dept: One (1)
Trial Date: None Set

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I. INTRODUCTION

While the religious beliefs of Gerald Armstrong may seem ludicrous and incredible to some, his right to maintain those beliefs is the subject of one of the Constitution's most dear protections, freedom of religion. At first blush it is difficult to overcome the inferences which arise from the fact that Armstrong received $800,000 from Scientology to keep his mouth shut, but that is not what Scientology paid him to do. It paid him to dismiss his cross-complaint and mutually agreed to maintain confidentiality as to him in consideration for his reciprocal promise. When Scientology breached this promise, Armstrong was free to speak about it.

Armstrong asks the Court to not continue to be misled by Scientology's long list of Armstrong's actions which it claims to violate the agreement. Indeed, such would have violated the agreement had Scientology not induced Armstrong to enter it based on the fraudulent representations that it wanted a chance to forsake its practice of fair game, both as to the world in general and Armstrong in particular. Of course, continuing to engage in such conduct invalidates the agreement Scientology would have this Court enforce. After all, why would the man - whose defense caused a Los Angeles County Superior Court judge to find that L. Ron Hubbard was a "pathological liar" and the Scientology Organization to be "schizophrenic" and both to systematically violate the civil rights of members - agree that Scientology could slander him for life? Would such a man sell his reputation for $800,000? No, he would not sell his reputation for any amount of dollars.

Armstrong also asks the court to listen to and consider his facts regarding Scientology's conduct leading up to and after the agreement's execution. If the Court does so, and provides a fair hearing to Mr. Armstrong, it will have no choice but to deny summary judgment.

II. STATEMENT OF FACTS

A. Fair Game Activities Against Armstrong Before December 6, 1986

Prior to the execution of the settlement agreement in later 1986, Gerald Armstrong had been the subject of the unrelenting application of Scientology's fair game policy. (Sep.St. Defendant's Evidence ¶ 1, A.) Such fair game actions included publishing "Suppressive Person Declares" on him, assaulting him, spying on him, filing false charges with the Los Angeles County District Attorney and with the Federal Bureau of Investigation, efforts to entrap him, illegal surveillance and videotaping, battery with a car driven by a hired agent, attempting to involve Armstrong in a freeway accident, filing false declarations, international publications falsely accusing him of crime (so-called "black propaganda"), filing false contempt of court charges, and disseminating confidential statements by Armstrong in pastoral counseling sessions. *(Ibid.)*

B. Fair Game Activities Against Armstrong's Attorney Before December 6, 1986

Prior to the execution of the settlement agreement in later 1986, Armstrong's lawyer, Michael Flynn had been the subject of the unrelenting application of Scientology's fair game policy. (Sep.St. Defendant's Evidence ¶ 1, B.) Such fair game actions included infiltrating Flynn's office, paying known criminals to testify falsely against him, suing him, framing him with a forgery of a $2,000,000 check, and subjecting him to an international "black propaganda" campaign. (*Ibid.*)

C. Armstrong's Failure To Sign The Agreement Would Result In Further Fair Game

Flynn told Armstrong that if he didn't sign the agreement, Armstrong would continue to be targeted for further fair game activities. (*Id.* at ¶ 1, C) Flynn also told Armstrong that the other fifteen people involved in the "global settlement," of which the Armstrong agreement was a part, would continue to be attacked by Scientology. (*Id.* at ¶ 1, D)

D. Scientology's Inducement For Armstrong's Execution Of The Agreement Was Fraudulent Because It Never Intended To Abandon Its Practice Of Fair Game

Prior to Armstrong's signing of the agreement, attorney Flynn advised him that as part of the agreement Scientology had promised to cease all of its fair game activities and attacks against Armstrong and others. (*Id.* at ¶ 98) In consequence, paragraph 7-I of the settlement agreement states "... the "slate" is wiped clean concerning past actions by any party." Paragraph 18-D states that the agreement is confidential and the parties however may state the civil action was settled. Paragraph 18-D stated that the parties agreed to forbear and refrain from doing any act or exercising any right which was inconsistent with the agreement. (*Id.* at ¶ 99)

Scientology attorney Lawrence Heller, who is the representative of Scientology depicted on the videotape of Armstrong's signing of the agreement, advised one court in 1989 in a motion to quash a deposition subpena served on Gerald Armstrong (that was based on the agreement) that he "was personally involved in the [1986] settlement" and stated under oath "The non-disclosure obligations were a key part of the settlement agreements insisted upon by all parties involved." (*Id.* at ¶ 101) He further stated,

> "One of the key ingredients to completing these settlements, insisted upon by all parties involved, was strict confidentiality respecting: (1) the Scientology parishioner or staff member's experiences with the Church of Scientology; (2) any knowledge possessed by the Scientology entities concerning those staff members or parishioners."

(*Id.* at ¶ 102) When Heller spoke to Armstrong on November 20, 1989, Heller stated that Scientology had obligations of non-disclosure as well as Armstrong. (*Id.* at ¶ 103)

Since Scientology signed the agreement, it did not cease all fair game attacks against him. (*Id.* at ¶ 105) Said attacks included (1) delivering "dead agent" documents to various media representatives (*Id.* at ¶ 105, A); (2) publishing its own false descriptions of Armstrong's Scientology experiences (*Id.* at ¶ 105, B); (3) disseminating to the media an edited, misleading and defamatory version of an illegal videotape that Scientology agents had made of him (*Id.* at ¶ 105, C); (4) disseminating documents from the original Armstrong litigation which Scientology had demanded be sealed (*Id.* at ¶ 105, D); (5) filing affidavits about him in a lawsuit in England which falsely stated that Armstrong violated court orders and was an admitted agent provocateur of the U.S. Government (*Id.* at ¶ 105, E); (6) threatening to sue Armstrong if he even talked to attorneys in the English case where false statements were being made about him (*Id.* at ¶ 105, F); (7) threatening to expose Armstrong's private writing if he failed to help prevent a litigant from gaining access to the original Armstrong case file (*Id.* at ¶ 105, F); (8) threatening him with being sued if he testified about Scientology pursuant to a subpoena (*Id.* at ¶ 105, G); and (9) threatening to sue Armstrong for attending the public hearing on its motion to quash service of the deposition subpoena with which he had been served. (*Id.* at ¶ 105, H.)

If Armstrong had known that the way the settlement agreement would have been interpreted and enforced was that Scientology was free to attack him or anyone else, that it was going to continue fair game as before the agreement's execution, and that he would be legally unable to respond to attacks on his reputation or otherwise defend himself and others, he would have never signed the agreement for all the money in the world. (*Id.* at ¶ 104)

The first action by Armstrong regarding Scientology's post-settlement fair game attacks on him was to file petitions in the Court of Appeal requesting permission to participate in the then-pending appeal that Scientology had taken from the 1984 decision in the *Armstrong* case, and the appeal that Scientology had taken from the order unsealing the *Armstrong* court file. Over the objections of Scientology, the Court of Appeal granted Armstrong's petitions (which on their face violated the provisions of 4-B of the agreement), and unsealed the settlement agreement which Armstrong had attached as a "sealed exhibit" to his petitions. (*Id.* at ¶ 106)

From the time that Armstrong petitioned the Court of Appeal, Scientology continued its fair game attacks on him which included disseminating "dead agent packs" of "black propaganda" which provided Scientology's false characterizations of Armstrong including that Armstrong (1) testified falsely at trial (*Id.* at ¶ 107, A, a); (2) had "adopted a degraded lifestyle" (*Id.* at ¶ 107, A, b); (3) was "apparently naked": in a newspaper photo (*Id.* at ¶ 107, A, c); (4) is connected to a "referral agency for those who engage in the illegal activity of kidnapping adults" (*Id.* at ¶ 107, A, d); (5) defense at his 1984 trial "was a sham and a fraud" (*Id.* at ¶ 107, A, e); (6) that the Los Angeles Police Department "authorized [Scientology's] surreptitious videotapes of Armstrong (*Id.* at ¶ 107, A, f); (7) conspired to plant fabricated documents in Scientology files and tell the internal Revenue Service to conduct a raid (*Id.* at ¶ 107, A, g); (8) wanted to plunder Scientology for his own financial gain (*Id.* at ¶ 107, A, h); (9) never intended to adhere to the terms of the settlement agreement (*Id.* at ¶ 107, A, i); (10) was motivated in writing attorney Lieberman regarding the *Nothling* litigation by greed and power ((*Id.* at ¶ 107, A, j); (11) was incompetent as a researcher on the Hubbard biography project (*Id.* at ¶ 107, A, k); (12) had perjured himself about surrendering documents to the Court (*Id.* at ¶ 107, A, l); and (13) wanted to orchestrate a coup in which members of the U.S. Government would wrest control of Scientology (*Id.* at ¶ 107, A, m).

In addition to the black propaganda seeking to "dead agent" Armstrong as set forth above, from the time that Armstrong petitioned the Court of Appeal, Scientology continued its attacks on him which included that he was formerly a heavy drug user, paid to provide homosexual sex, is psychotic and lives in a world of delusion. (*Id.* at ¶ 107, C, a-d) Scientology used transcripts and other documents which it had insisted be sealed in the original *Armstrong* litigation to attack him, (*Id.* at ¶ 107, B), and stating in the media that Armstrong had posed naked in the newspaper (*Id.* at ¶ 107, D, E) One of its agents stated that Armstrong has AIDS, and that he and his attorney Ford Greene have a "fuck buddy" relationship. (*Id.* at ¶ 107, F, G) Scientology has filed declarations in various courts containing false charges about Armstrong, and then using the settlement agreement to prevent or punish him from or for responding thereto. (*Id.* at ¶

107, H) It has attempted to have Armstrong jailed for contempt of court based on mischaracterizations of his actions in conjunction with the manufacture of evidence. (*Id.* at ¶ 107, I) Scientology provided documents to Premiere Magazine regarding Armstrong including partial transcripts of the illegal Ingram videotaping of Armstrong and then using the settlement agreement to punish Armstrong for responding thereto. (*Id.* at ¶ 107, J) Scientology has perpetrated fair game actions on Armstrong's friends and associates including Ford Greene, Hana Whitfield, Dennis Erlich, Lawrence Wollersheim, Jonathan Atack, Margery Wakefield, Nancy McLean and Malcolm Nothling. (*Id.* at ¶ 108)

E. Reasons Why The Settlement Agreement Cannot Be Specifically Enforced

Scientology's interpretation of the settlement agreement is that it can say whatever it wants about Armstrong to anyone in any form, and that he has no right to respond thereto. (*Id.* at ¶ 109) Armstrong has been subjected to Scientology's policy of fair game since 1982. (*Id.* at ¶ 110) Armstrong's original cross-complaint against Scientology for fraud and years of fair game was set in December 1986 for trial in March 1987. (*Id.* at ¶ 111) Scientology promised to pay money, cease fair game against him and others, and execute a general release. Armstrong promised to dismiss his cross-complaint and execute a general release. Neither side was to use information about the other in the future so that there would be a "clean slate" between them. Armstrong never agreed and the agreement does not state that Scientology may say or publish whatever it wants about Armstrong, and that he waived the right to respond to such statements. (*Id.* at ¶ 112)

Mr. Flynn advised Armstrong that Scientology was paying Armstrong to dismiss his cross-complaint and release it from liability for its acts prior to settlement. Armstrong never agreed to continue to be fair game, a punching bag, willing victim, or a tool for Scientology's obstruction of justice. He would never do so for any amount of money. (*Id.* at ¶ 116-117)

Although the agreement states that Armstrong waived his right to oppose Scientology's appeal of Judge Breckenridge's 1984 decision, the Court of Appeal nonetheless allowed Armstrong to so do. (*Id.* at ¶ 113-115) In addition, a trial judge has condemned the agreement as one-sided and fundamentally unfair.

> "So my belief is Judge Breckenridge, being a very careful judge ... if he had been presented with that whole agreement and if he had been asked to order its performance, he would have dug his feet in because that is one ... I'll say one of the most ambiguous, one-sided agreements that I have ever read. And I would have not ordered the enforcement of hardly any of the terms if I had been asked to, even on the threat that okay, the case is not settled. [¶] I know we like to settle

cases. But we don't like to settle cases and, in effect, prostrate the court system into making an order which is not fair or in the public interest."

(*Id.* at ¶ 120) By dint of contract, Scientology has prevented Armstrong's witnesses, including his former attorneys - Michael J. Flynn, Bruce Bunch and Julia Dragojevic - from providing evidence to Armstrong in the instant action. Were they not so constrained, they would provide evidence devastating to Scientology. (*Id.* at ¶ 121-125)

F. Scientology's Hands Are Unclean

Based on Scientology's declaring Armstrong to be a suppressive person so as to subject him to its fair game policy, Judge Breckenridge ruled that Scientology did not have "clean hands" as to Armstrong. (*Id.* at ¶ 126) Judge Breckenridge's decision was affirmed in its totality by the Court of Appeal which stated that the "declares" subjected Armstrong to the "Fair Game Doctrine" "which permits a suppressive person to be 'tricked, sued, or lied to or destroyed ... [or] deprived of property or injured by any means by any Scientologist." (*Id.* at ¶ 127) Following the Breckenridge decision Scientology continued to subject Armstrong, and his attorney Michael J. Flynn, to fair game . (*Id.* at ¶ 128-129) Scientology promised to discontinue fair game against Armstrong and others as an inducement for settlement, and continued fair game against Armstrong since the settlement. (*Id.* at ¶ 130)

Prior to Armstrong speaking publicly about his experiences in Scientology, it engaged him in a pubic controversy by publishing and disseminating its own versions of his experiences, and had continued thereafter to publish and disseminate its versions of his experiences. (*Id.* at ¶ 131) Scientology claims by the settlement that it is free to comment on Armstrong, but that Armstrong is prohibited from commenting in response. (*Id.* at ¶ 132) Scientology characterizes Armstrong's statements, which it claims it is free to comment on, as "often bizarre. allegations." (*Id.* at ¶ 133)

G. On Its Face, And As Applied, The Agreement Obstructs Justice

Scientology lawyer Lawrence Heller testified that "[a]t the time of the Armstrong settlement, information from Mr. Armstrong was being used in a number of cases around the world." (*Id.* at ¶ 134) Scientology staff member Kenneth Long stated in a declaration executed January 19, 1995, that prior to December 1986, Armstrong had testified in 15 cases for a total of 28 trial days, and had executed 28 declarations in 15 cases all of which concerned Scientology and/or its related entities. Long characterizes

Armstrong as "an anti-Church litigant and a professional witness against the Church in other litigation" and "a paralegal who worked extensively on anti-Church cases." (*Id.* at ¶ 136) In Armstrong's opinion "[t]he whole set of 'settlement agreements,' which are commonly known as the 'Flynn agreement,' are unfair to anyone who litigates either as a defendant or plaintiff against Scientology, since these agreements remove knowledgeable witnesses from the legal arena and drive up litigation costs. The 'agreements' are also unfair to the public because they allow Scientology's leaders to rewrite history, lie about judicially credited information, attack the sources of that information without response, and convey the idea that it is futile to speak the truth or oppose their tyranny." (*Id.* at ¶ 137)

H. Armstrong's experiences In Scientology Are Religious In Nature

Scientology holds itself out as a religion which identifies its scriptures as the writings and spoken words of L. Ron Hubbard. (*Id.* at ¶ 140-141) The purpose of Scientology's religious orders is to carry out the religious and administrative activities of Scientology. (*Id.* at ¶ 140-141.) From 1971 through 1981, Armstrong was a member of Scientology's religious order, the Sea Organization, which is the period of almost all of his significant experiences with Scientology. (*Id.* at ¶ 144) Armstrong believes that his experiences in Scientology are religious, that God guided him to see that the faith he had put in L. Ron Hubbard and Scientology was misplaced, that God kept him from being completely taken over by Scientology's indoctrination, mind control, threats and punishments, and that God kept Armstrong's heart from hardening despite the way that Scientology treated him. (*Id.* at ¶ 146) Armstrong also believes that God led him into L. Ron Hubbard's archives and biography project in order to study Hubbard's secret papers so as to document Hubbard's duplicity and to free Armstrong's faith from Scientology where it had been misplaced. (*Ibid.*) Armstrong believes that God both protected Armstrong (*Id.* at ¶ 147) let him be terrorized and set up by Scientology. (*Id.* at ¶ 148) Armstrong also believes that God brought him and his attorney Michael Flynn together to fight the evil of Scientology. (*Id.* at ¶ 149) Armstrong believes that God speaks to him, and in 1986 founded a church. (*Id.* at ¶ 150)

Armstrong believes that God allowed Scientology to harass, threaten and compromise Flynn, and allowed Flynn to "lose heart" and have Armstrong agree to the instant settlement agreement. (*Id.* at ¶ 151-152) Armstrong believes that God allowed Flynn to respond to Armstrong's objections about the impossibility of the agreement and the liquidated damages clause by saying, "Gerry, it's not worth the paper it's printed on. You can't contract away your Constitutional rights" and that Scientology was paying Armstrong to dismiss his lawsuit. (*Id.* at ¶ 152) Armstrong believes that God kept him from responding to Scientology's violations of the settlement agreement until he was served with a deposition subpena at which time Armstrong believes that God brought him to a determination to do what he could to bring to light and correct injustice and evil. (*Id.* at ¶ 155)

III. ARMSTRONG HAD NO FREEDOM OF CONSENT

A. Duress And Menace

An essential element of a contract is consent. (*Civil Code* § *1550 (2).*) An apparent consent is not real or free when it has been obtained through duress or menace. (*Civil Code* § *1567 (1)(2)*.) Sections 1569 (1) and (3) of the *Civil Code* defines duress as the (1) "[u]nlawful confinement of the person of the party, . . ." or (2) "[c]onfinement of such person, lawful in form, but fraudulently obtained, or fraudulently made unjustly harassing or oppressive." The cases, however, have established much broader definitions, and consequently, the language of the decisions can rarely be reconciled with the statutory language. For example, in *Harlan v. Gladding, McBean & Co.* (1907) 7 Cal.App. 49, duress means a condition of mind produced by improper external pressure or influence that practically destroys the free will of a person and causes him to do an act or enter into a contract not of his own volition. In *Sistrom v. Anderson* (1942) 51 Cal.App.2d 213, duress is effectuated by an unlawful threat which overcomes the will of the person threatened and induces him to do an act that he is not bound to do and would not otherwise have done. *Steffen v. Refrigeration Discount Corp.* (1949) 91 Cal.App.2d 494, states that the test of duress, at its harshest, is what would have influenced the conduct of a reasonable man. Indeed, the modern tendency is to find duress wherever one, by the unlawful act of another, is induced to make a contract under circumstances which deprive him of the exercise of free will. See *Keithley v. Civil Service Board* (1970) 11 Cal.App.3d 443; *Balling v. Finch* (1962) 203 Cal.App.2d 413; *Gross v. Needham* (1960) 184 Cal.App.2d 446; *Lewis v. Fahn* (1952) 113 Cal.App.2d 95; *Sistrom*, 51 Cal.App.2d at 213. Under this standard, duress is to be tested, not by the nature of the threat, but by the state of mind induced in the victim. *Balling*, 203 Cal.App.2d at 413; *Lewis*, 113 Cal.App.2d at 95.

Menace is defined as a threat of unlawful and violent injury to a party (*Civil Code* § *1570 (2))* or injury to the character of such person. (*Civil Code* § *1570 (3)*.)

> "Menace" means something different from "force." Thus, a mere verbal threat to have a mother arrested and to take her children from her constitutes a "menace." [Citation.] The essential function played by the concept of "menace" is to avoid or vitiate consent to an act, so that the act cannot be said to constitute an exercise of free will. [Citation.] Thus, for example, mere persuasion, which, in fact, convinces someone to do something, does not constitute coercion or menace. [Citation.]

(*People v. Cicero* (1984) 157 Cal.App.3d 465, 478) If a party exerts unlawful pressure on the injured party in order to deprive him of contractual volition and induce him to act to his own detriment, consent thereto is said to have been vitiated by menace. (*Goldstein v. Enoch* (1967) 248 Cal.App.2d 891, 894-895)

Ever since Armstrong left Scientology in 1981, Scientology, having declared him an enemy, a "suppressive person," subjected him to certain actions, pursuant to its fair game policy, which constituted duress and menace. (Sep.St. ¶ 1, A) Such acts included assaulting him, spying on him, filing false charges with the Los Angeles County District Attorney and with the Federal Bureau of Investigation, efforts to entrap him, illegal surveillance and videotaping, battery with a car driven by a hired agent, attempting to involve Armstrong in a freeway accident, filing false declarations, international publications falsely accusing him of crime (so-called "black propaganda"), filing false contempt of court charges, and disseminating confidential statements by Armstrong in pastoral counseling sessions. (*Ibid.*)

Prior to the execution of the settlement agreement in later 1986, Armstrong's lawyer, Michael Flynn had also been the subject of the unrelenting application of Scientology's fair game policy. (Sep.St. Defendant's Evidence ¶ 1, B.) Such fair game actions included infiltrating Flynn's office, paying known criminals to testify falsely against him, suing him, framing him with a forgery of a $2,000,000 check, and subjecting him to an international "black propaganda" campaign. (*Ibid.*)

Flynn told Armstrong that if he didn't sign the agreement, Armstrong would continue to be targeted for further fair game activities. (*Id.* at ¶ 1, C) Flynn also told Armstrong that the other fifteen people involved in the "global settlement," of which the Armstrong agreement was a part, would continue to be attacked by Scientology. (*Id.* at ¶ 1, D)

Given Scientology's unrelenting attacks on Armstrong, his lawyer and all the "enemies" whom Mr. Flynn represented, it is clear that Armstrong's consent to the agreement was obtained by duress and menace, and therefore not free.

B. Fraud

The elements of actual fraud, whether in contract or in tort, have been stated as follows: There must be (1) a false representation or concealment of a material fact (or, in some cases, an opinion) susceptible of knowledge, (2) made with knowledge of its falsity or without sufficient knowledge on the subject to warrant a representation, (3) with the intent to induce the person to whom it is made to act upon it; and such person must (4) act in reliance upon the representation (5) to his damage. (*Harding v. Robinson* (1917) 175 Cal. 534, 538; *Wolfe v. Severns* (1930) 109 Cal.App. 476, 485; 1 Witkin, *Summary of California Law* § 393.)

The act constituting actual fraud may be concealment or "any other act fitted to deceive." Specifically, "[t]he suppression of that which is true, by one having knowledge or belief of the fact" is actual fraud. (*Civil Code § 1572 (3)*; *Williamson & Vollmer Engineering v. Sequoia Ins. Co.* (1976) 64 Cal.App.3d 261, 273; 1 Witkin, *Summary of California Law*, § 398.) The Restatement points out that concealment is an affirmative act, equivalent to a misrepresentation (comment a), and that it usually consists either in actively hiding something from the other party, or preventing him making an investigation that would have disclosed the true facts (Comment b).

The purpose of the catch-all statement, "any other act" is suggested in *Wells v. Zenz* (1927) 83 Cal.App. 137.

> "Fraud is a generic term which embraces all the multifarious means which human ingenuity can devise and are resorted to by one individual to get an advantage over another. No definite and invariable rule can be laid down as a general proposition defining fraud, and it includes all surprise, trick, cunning, dissembling, and unfair way by which another is deceived. The statutes of California expressly provide that . . . any other act fitted to deceive is actual fraud."

In the instant case, Scientology represented to Armstrong that a primary reason for the settlement was to provide it with an opportunity to cease its fair game activities against him and others. Since it is clear that Scientology not only did not cease such activities, but never intended to do so, Armstrong's consent to the agreement was vitiated. (*Civil Code* § *1565, 1567*)

C. Even If The Contract Was Not Obtained By Duress, Menace, And Fraud, Scientology Cannot Enforce The "Confidentiality" Provisions Because It Breached The Express And Implied Covenant That It Would Say Nothing About Armstrong After The Settlement.

1. Confidentiality Was Contractually Reciprocal [1]

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[1] Armstrong asks the Court to realize that this argument was never presented to Judge Sohigian when the parties litigated the preliminary injunction in May 1992.

Paragraph 7-I of the agreement states that the slate between Scientology and Armstrong is wiped clean and that neither party shall use in the future any information obtained regarding the other that was the subject of the settled litigation. (Sep.St. 99) The parties' intent in this regard was clearly articulated by Scientology attorney Lawrence Heller almost three years later.

On or about November 1, 1989, in the case entitled *Corydon v. Church of Scientology International, Inc., et al.*, LASC No. C694401, Scientology attorney Lawrence E. Heller filed a motion to prevent Armstrong from testifying pursuant to subpena. In his memorandum, Heller discussed the "block settlement" of which the Armstrong agreement was a part. He stated:

> One of the key ingredients to completing these settlements, insisted upon by all parties involved, was strict confidentiality respecting: (1) the Scientology ... staff member's experiences with ... Scientology; (2) **any knowledge possessed by the Scientology entities concerning those staff members** ...; and (3) the terms and conditions of the settlements themselves. Peace has reigned since the time the interested parties entered into the settlements, all parties having exercised good faith in carrying out the terms of the settlement, including the obligations of confidentiality. [Underlining is original emphasis.]

(Sep.St. 102: Ex. 1 (A)(D) at 4:9-19.) In his sworn supporting declaration, attorney Heller testified:

> I was personally involved in the settlements which are referred to in these moving papers which transpired some two and one-half years ago. Those settlements concerned well over a dozen plaintiff litigants as well as various Church of Scientology entities . . . Settlement negotiations, which were not supervised by any court, were arduous and, as is often the case in these instances, sometimes contentious. However, a "universal settlement" was ultimately entered into between the numerous parties. The universal settlement provided for non-disclosure of all facts underlying the litigation as well as non-disclosure of the terms of the settlements themselves. The non-disclosure obligations were a key part of the settlement agreements insisted upon by all parties involved. [Original emphasis.]

(Sep.St. 101: Ex. 1 (A)(D) at 8:15-9:7.)

The principles concerning the interpretation of contracts are well settled. Paramount among these rules are the following:

> [T]he contract must be construed as a whole and the intention of the parties must be ascertained from the consideration of the entire contract, not some isolated portion [citations]; a contract entered into for the mutual benefit of the parties is to be interpreted so as to give effect to the main purpose of the contract and not to defeat the mutual objectives of the parties [citations]; language which is inconsistent with the objective of the contract shall be rejected [citations]. Also, where a contract is susceptible of two interpretations, the courts shall give it such a construction as will make it lawful, operative, definite, reasonable and capable of being carried into effect if it can be done without violating the intention of the parties [citations]. And last, but not least, the court shall avoid an interpretation which will make a contract extraordinary, harsh, unjust, inequitable or which would result in absurdity [citations].

(*County of Marin v. Assessment App. Bd., Marin City* (1976) 64 Cal.App.3d 316, 325.)

That which is necessarily implied in the language of a contract is as much a part of it as that which is expressed. (*Wal-Noon Corp. v. Hill* (1975) 45 Cal.App.3d 605, 611-12.) A contract includes not only what is expressly stated, but also what is necessarily implied from the language used. (*Mercer v. Lemmens* (1964) 230 Cal.App.2d 167, 171.) Where express covenants fail to cover phrases necessary to make workable and meaningful the covenants expressed, implied covenants may be resorted to. (*Foley v. U.S. Paving Co.* (1968) 262 Cal.App.2d 499, 505-06.) Stipulations which are necessary to make a contract reasonable are implied in respect to matters as to which the contract manifests no contrary intention. (*Straus v. North Hollywood Hospital* (1957) 150 Cal.App.2d 306, 309 P.2d 541, 545.) A fair and reasonable interpretation of a contractual provision, rather than one leading to harsh, unreasonable or inequitable results, is always preferred. (*Ibid.*) When the law implies a promise from the terms of a written contract, the promise is as much a part of the contract as if it were written out. (*Amen v. Merced County Title Co.* (1962) 58 Cal.2d 528, 532.) Unexpressed provisions of a contract may be inferred from the writing or from external facts. (*California Lettuce Growers v. Union Sugar Co.* (1955) 45 Cal.2d 474, 289 P.2d 785, 790.) The rules controlling the exercise of judicial authority to insert implied covenants require several concurrent conditions: (1) the implication must arise from the language used or it must be indispensable to effectuate the intention of the parties;[2] (2) it must appear from the language used that it was so clearly within the contemplation of the parties that they deemed it unnecessary to express it; (3) implied covenants can only be justified on the grounds of legal necessity; (4) a promise can be implied only where it may be rightfully assumed that it would have been made if attention had been called to it; and (5) there can be no implied covenant where the subject is completely covered by the contract. (*Adkins v. Lear, Inc.* (1968) 67 Cal.2d 882, 905; *Addiego v. Hill* (1965) 238 Cal.App.2d 842, 847; *Walnut Creek Pipe Distrib. v. Gates Rubber Co.* (1964) 228 Cal.App.2d 810, 815-16.)

Both the language of the agreement and the November 1989 declaration and memorandum of Scientology attorney Heller illustrate that confidentiality was indispensable to effectuate the intentions of both Armstrong and Scientology. Indeed, a review of the agreement makes it clear that both parties desired to terminate their disputatious interactions with one another and leave one another alone. There is nothing in the agreement that states that Scientology could make whatever public statements it wanted to about Armstrong, but that he would have to remain silent no matter what aspersions were cast his way. To impose such a condition would make no sense because it would allow Scientology to slander Armstrong and literally re-write history in order to suit its own ends without any regard to truth or accuracy. Armstrong's history in the litigation before Judge Breckenridge illustrates a profound rejection of any such result. [3] Thus, under the circumstances there is a legal necessity for the Court to imply that the settlement terms were reciprocal because it would be grossly unfair to Armstrong since it was never his intent to have his own personal history revised according to the predilections of Scientology, and ultimately be jailed after a Court issued injunctive relief based on the agreement that he could never respond thereto.

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[2] One vital element in the construction of a contract is the intention of the parties in relation to its execution. When determining this intention, the court may look to the circumstances surrounding the making of the agreement, including the object, nature, and subject matter of the writing, and thereby place itself for this purpose in the same situation in which the parties found themselves at the time of contracting. (*Dunne & Gaston v. Keltner* (1975) 50 Cal.App.3d 560, 564.)

The agreement expressly states that Armstrong was not to discuss his knowledge or experience with respect to Scientology. Although the agreement is silent whether Scientology was similarly prohibited from discussing its knowledge of Armstrong, Mr. Heller was not. Therefore, to imply that the parties' intention was for Scientology to be subject to the same confidentiality as was Armstrong does not contravene any express term of the agreement and conforms with Mr. Heller's initial representations to the judiciary regarding the intent of the agreement. To imply reciprocity would not violate the intent of the parties. Indeed, not to imply such a term would violate the expectations of Armstrong and deny him the fruits of his bargain. "If without the implied obligation the fruits of the contract would be denied to one of the parties, the intent that such an obligation should not exist must clearly appear from the express terms of the contract." (*Bergum v. Weber* (1955) 136 Cal.App.2d 389, 288 P.2d 623, 626.) Moreover, the "clean slate" provision supports the conclusion that the confidentiality provisions were reciprocal, and rebuts the conclusion that the parties intended that Scientology could say whatever it wanted about Armstrong, and that it could sue him if he tried to respond.

2. Scientology Breached The Implied Covenants of Confidentiality And Of Good Faith And Fair Dealing

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[3] See generally, Ex. 1(A)(A), Memorandum of Intended Decision, *Church of Scientology of California v. Armstrong*, Los Angeles County Superior Court, Case No. C 420153.

In addition to the duties imposed upon the parties to a contract by the terms of their agreement, the law implies in every contract a covenant of good faith and fair dealing. (*Seaman's Direct Buying Service, Inc. v. Standard Oil Co.* (1984) 36 Cal.3d 752, 768.) The implied promise requires each contracting party to refrain from doing anything to impair the right of the other to receive the benefits of the agreement. (*Betts v. Allstate Ins. Co.* (1984) 154 Cal.App.3d 688, 705.) This covenant not only imposes upon each contracting party the duty to refrain from doing anything which would render performance of the contract impossible by any act of his own, but also the duty to do everything that the contract presupposes that he will do to accomplish its purpose. (*McWilliams v. Holton* (1967) 248 Cal.App.2d 447, 451.) The precise nature and extent of the duties imposed by such implied promise will depend upon the nature and purpose of the underlying contract and the legitimate expectations of the parties. (*Tollefson v. Roman Catholic Bishop* (1990) 219 Cal.App.3d 843, 854.) Thus, regardless of its origin, the covenant of good faith and fair dealing is designed to effectuate the intentions and reasonable expectations of the parties reflected by mutual promises within the contract. (*Ibid.*)

With respect to the agreement at bar, Scientology acted in bad faith by unfairly depriving Armstrong of the benefit of the bargain of the settlement agreement. Rather than leave its history with Armstrong to rest silently in the past insulated by mutual promises of confidentiality, Scientology resurrected its old conflict with Armstrong when to do so suited whatever was its particular litigation or public relations strategy of the moment. Such conduct violates the implied covenant of good faith and fair dealing and excuses counter-performance by Armstrong.

3. Due To Its Breaches, Scientology Cannot Enforce Reciprocal Provisions Of The Agreement Against Armstrong

A party complaining of a breach of contract is not entitled to recover therefor unless he has fulfilled his obligations. He who seeks to enforce a contract must show that he has complied with the conditions and agreements of the contract on his part to be performed. (*Pry Corporation of America v. Leach* (1960) 177 Cal.App.2d 632, 639.) A covenant is a promise to render some performance. A breach of covenant excuses the other party's performance. (Witkin, *1 Summary of California Law* (1987) Contracts, § 723, 757.) Thus, one who himself breaches a contract cannot recover for a subsequent breach by the other party, (*Silver v. Bank of America* (1941) 47 Cal.App.2d 639, 118 P.2d 891, 894), because a party to a contract need not tender performance if the conduct of the other party amounts to a refusal to perform. (*United California Bank v. Maltzman* (1975) 44 Cal.App.3d 41, 52.)

Scientology repeatedly breached its covenant to remain silent about Armstrong. (Sep.St. 105 (D-H) Scientology cannot have it both ways.

D. Scientology Has Not Met Its Burden Which Would Entitle It To Injunctive Relief Because It Is Not Entitled To The Equitable Remedy Of Specific Performance

As the basis for injunctive relief, Scientology relies upon the legal conclusion that the agreement can be specifically enforced. (Moving Memorandum at p. 16:3-25.) Upon applying Civil Code section 3391 to the circumstances of this case, however, Armstrong cannot be compelled to specifically perform the agreement. [4] An injunction cannot be granted to prevent the breach of a contract, the performance of which would not be specifically enforced. (*Thayer Plymouth Center, Inc. v. Chrysler Motors Corp.* (1967) 255 Cal.App.2d 300, 304, 63 Cal.Rptr. 148.)

It is rote that "equity will not lend its aid to enforce contracts which upon their face are so manifestly harsh and oppressive as to shock the conscience; it must be affirmatively shown that such contracts are fair and just." (*Jacklich v. Baer* (1943) 57 Cal.App.2d 684, 135 P.2d 179, 183.) The rationale for this rule is grounded in a common sense recognition of the rules of fair play, not fair game.

> It is said . . . that the doctrine that he who seeks equity must do equity means that the party asking the aid of the court must stand in a conscientious relation to his adversary; that the transaction from which his claim arises must be fair and just and that the relief itself must not be harsh and oppressive upon the defendant. And that specific performance will always be refused when a contract itself is unfair, one-sided, unconscionable, or affected by any other such inequitable feature, and when specific performance would be oppressive upon the defendant, or would prevent the enjoyment of his own rights, or would in any other manner work injustice.

(*Id*, 135 P.2d at 184; *Chrittenden v. Hansen* (1943) 59 Cal.App.2d 56, 138 P.2d 37, 38.)

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[4] In full, Civil Code section 3391 states:

"WHAT PARTIES CANNOT BE COMPELLED TO PERFORM. Specific performance cannot be enforced against a party to a contract in any of the following cases:

1. If he has not received an adequate consideration for the contract;
2. If it is not, as to him, just and reasonable;
3. If his assent was obtained by the misrepresentation, concealment, circumvention, or unfair practices of any party to whom performance would become due under the contract, or by any promise of such party which has not been substantially fulfilled; or
4. If his assent was given under the influence of mistake, misapprehension, or surprise, except that where the contract provides for compensation in the case of mistake, a mistake within the scope of such provision may be compensated for, and the contract specifically enforced in other respects, if proper to be so enforced."

The burden is on the plaintiff to plead and prove "that the contract is not inequitable or unconscionable" in order to support a decree of specific performance. (*Quan v. Kraseman* (1948) 84 Cal.App.2d 550, 191 P.2d 16, 17.)

The primary issue with respect to fairness is whether it is fair for the Court to support Scientology's position that it purchased Armstrong's First Amendment Right to Free Speech with respect to activities (concerning which Scientology would otherwise assert falls within its First Amendment Right to Free Exercise of Religion because it involves the time Armstrong was a practicing Scientologist) which for Armstrong constitutes an unquestionably religious experience twelve years in duration, for $800,000. That is an undeniably large sum of money. Scientology, however, did not purchase Armstrong's silence without also giving up its right to talk about him. When determining what Scientology's money bought, the court must consider the overall context of the litigation and the relations of the parties in December 1986. In June 1984, Judge Breckenridge had severely condemned Scientology when holding for defendant Armstrong in the original litigation.[5] Armstrong's cross-complaint seeking compensation for Scientology's fair game actions against him involved serious charges of heinous misconduct was set for trial in early 1987. In July 1986 a Los Angeles County Superior Court jury had awarded Lawrence Wollersheim $5,000,000 in compensatory damages and $25,000,000 in punitive damages against Scientology. Mr. Heller confirmed that the intention of the parties in the settlment was not only that Armstrong not to talk about Scientology, but also that Scientology would not talk about him. In light of these facts, the issue no longer is as clear cut as Scientology presents: it bought Armstrong's First Amendment Free Speech Rights for $800,000. Indeed, it appears that Scientology bought a dismissal of a potentially explosive cross-complaint and agreed to bury the hatchet.

Scientology does not make a single allegation that Armstrong broke his covenant of silence prior to 1991. The record is replete, however, with Scientology's breaches of its obligation to maintain silence as to Armstrong. It would be fundamentally unreasonable and unfair, in light of all the facts, for a Court to allow Scientology to say whatever it wants about Armstrong, and to require Armstrong to remain mute in the face of such attacks. Since Scientology has not done equity under the terms of the agreement as interpreted by its lead settlement counsel, he cannot ask this Court to enjoin Armstrong from speaking about it.

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[5] Judge Breckenridge also stated that "Defendant and his counsel are free to speak or communicate upon any of Defendant Armstrong's recollections of his life as a Scientologist or the contents of any exhibit received in evidence or marked for identification ..." (Ex. 1 (A)(A) at 3:3-6)

E. The Agreement Obstructs Justice

In addition to the arguments which relate to the unenforceability of the agreement, it is also void against public policy. What Scientology is seeking to do is to remove Armstrong, and all others like him, from playing any role in the truth seeking process, whether such process be in competition found in the public marketplace of ideas, or in the truth-seeking forum provided by the judiciary. Thus, by eliminating those who are knowledgeable of its history and practices, Scientology seeks, quite literally, to shape public opinion and skew judicial decision-making by writing its own script. Thus, with no regard for the truth, Scientology may rest secure in the knowledge that it has purchased the silence of witnesses adverse to it and the Courts will enforce it.

The consideration of a contract must be lawful. (*Civil Code* § 1607.) If any part of the consideration is unlawful the entire contract is void. (*Civil Code* § 1608.) Consideration is unlawful if it is contrary to an express provision of law, contrary to the policy of express law, though not expressly prohibited, or otherwise contrary to good morals. (*Civil Code* § 1667.) The object of the contract is the thing which it is agreed, on the party receiving the consideration, to do or not to do. (*Civil Code* § 1595.) The object must be lawful when the contract is made. (*Civil Code* § 1596.) Whether or not a contract in a given case is contrary to public policy is a question of law to be determined from the circumstances of each particular case. (*Bovard v. American Horse Enterprises* (1988) 201 Cal.App.3d 832, 838; *Kallen v. Delug* (1984) 157 Cal.App.3d 940, 951; *Russell v. Soldinger* (1976) 59 Cal.App.3d 633, 642.) It is a fundamental rule of construction of contracts that all applicable laws in existence when an agreement is made, which laws the parties are presumed to know and have in mind, necessarily enter into the contract and form a part of it without any stipulation to that effect, as if they were expressly referred to and incorporated in the agreement. (*People v. Hadley* (1967) 257 Cal.App.2d Supp. 871, 881.) "Agreements to suppress evidence have long been held void as against public policy, both in California and in most common law jurisdictions." (*Williamson v. Superior Court* (1978) 21 Cal.3d 829, 836-37.) In *Brown v. Freese* (1938) 28 Cal.App.2d 608, the California Court of Appeal adopted section 557 of the Restatement of the Law of Contracts prohibiting as illegal those agreements which sought to suppress the disclosure of discreditable facts. The court stated:

> A bargain that has for its consideration the nondisclosure of discreditable facts . . . is illegal. . . . In many cases falling within the rule stated in the section the bargain is illegal whether or not the threats go so far as to bring the case within the definition of duress. In some cases, moreover, disclosure may be proper or even a duty, and the offer to pay for nondisclosure may be voluntarily made. Nevertheless the bargain is illegal. Moreover, even **though the offer to pay for nondisclosure is voluntarily made and though there is not duty to make disclosure or propriety in doing so, a bargain to pay for nondisclosure is illegal.** [Emphasis added.]

(*Brown* 28 Cal.App.2d at 618.) *Civil Code* § 1668 states:

> All contracts which have for their object, directly or indirectly, to exempt anyone from responsibility for his own fraud, or willful injury to the person or property of another, or violation of law, whether willful or negligent, are against the policy of the law.

Since an agreement to suppress evidence or to conceal a witness is illegal, (Witkin, § 611 at 550. *Penal Code* §§ 136, 136.1, and 138; *Mary R. v. B. & R. Corp.* (1983) 149 Cal.App.3d 308, 196 Cal.Rptr. 871; *Tappan v. Albany Brewing Co.* (1889) 80 Cal. 570, 571-572), and the combined effect of the "global settlement" has been to remove the availability as witnesses of most former high-ranking Scientologists, such can "lead to subtle but deliberate attempts to suppress relevant evidence." (*Williamson,* 21 Cal.3d at 838.)

Thus, where a contract is made either (1) to achieve an illegal purpose, or (2) by means of consideration that is not legal, the contract itself is void. Witkin, *Summary of California Law* (9th Ed. 1987) Vol. 1, Contracts, § 441 at 396.

Illegal contracts are matters which implicate public policy. Public policy has purposefully been a "vague expression . . . [that] has been left loose and free of definition in the same manner as fraud."(*Safeway Stores v. Hotel Clerks Intn'l Ass.* (1953) 41 Cal.2d 567, 575) Public policy means "anything which tends to undermine that sense of security for individual rights, whether of personal liberty or private property, which any citizen ought to feel is against public policy." (*Ibid.*) Therefore, "[a] contract made contrary to public policy may not serve as the foundation of any action, either in law or in equity, [Citation] and the parties will be left where they are found when they come to court for relief. [Citation.]" (*Tiedje v. Aluminum Paper Milling Co.* (1956) 46 Cal.2d 450, 454)

Based on Judge Breckenridge's decision alone, it is clear what Scientology seeks to suppress. The judiciary should not be used for such a purpose.

F. The First Amendment Precludes Enforcement Of The Agreement

Judge Breckenridge found Armstrong to possess a "dedication to the truth" (Ex. 1 (A)(A) at 5:9), and to be "credible [and] extremely persuasive." (*Id.* at 7:9-12) He found that "the Church or its minions is fully capable of intimidation or other physical or psychological abuse if it suits their ends." (*Id.* at 8:3-5) Armstrong communicates with God and God has guided Armstrong to continue his devotion to the truth at whatever cost. Armstrong believes that his entire relationship with Scientology over the past 25 years to have been divinely inspired, and that God has called upon Armstrong to speak out and tell the truth about Scientology in order to protect people from fair game. (Sep.St. 139-174) Scientology, a religion, is asking the Court to use its power to censor Armstrong's speech regarding his experiences while he was a member of the Scientology religion, concerning which Armstrong says he was misled into believing and concerning which error he says God enlightened him. [6] Since fair game is a sectarian scripture of the Scientology religion which includes deception and character assasination as preferred methods of conduct, for the Court to enforce the agreement and silence Armstrong is to prefer Scientology's malevolent sectarianism over Armstrong's right to religiously based speech. It must be remembered that Armstrong has done nothing more than speak. To enforce the agreement not only would violate Armstrong's First Amendment right to Free Speech and Free Exercise, it would also violate the anti-establishment clause.

The First Amendment guarantees of freedom of religion establish liberty of conscience as an abiding national principle. The realm of individual belief is wholly beyond the power of the state; "[h]eresy trials are foreign to our Constitution." (*United States v. Ballard* (1944) 322 U.S. 78, 86) But constitutional protection is not limited to matters of belief. Guaranteeing the "the free exercise" of religions, the words of the Constitution's text also shields conduct undertaken for reasons of faith. "[T]he right to the free exercise of religion unquestionably encompasses the right to preach, proselyte, and perform other similar religious functions." (*McDaniel v. Paty* (1978) 435 U.S. 618, 626 (Burger, C.J.) (plurality opinion), See also *Wisconsin v. Yoder* (1972) 406 U.S. 205, 220 ["there are areas of conduct protected by the Free Exercise Clause of the First Amendment and thus beyond the power of the State to control, even under regulations of general applicability"]).

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[6] Armstrong has made a number of religiously-based claims which appear on their face to be incredible, the foremost of which is that God told him, in answer to his prayers, to give away all his worldly wealth, which he did. Such beliefs and conduct, however difficult to accept, should not result in the contamination of the Court's attitude toward Armstrong. As stated by our country's highest court, "The religious views espoused by [Armstrong] might seem incredible, if not preposterous, to most people. But if those doctrines are subject to a trial before a jury charged with finding their truth or falsity, then the same can be done with the relious beliefs of any sect. When the triers of fact undertake that task, they enter a forbidden domain. The First Amendment does not select any one group or any one type of religion for preferrred treatment. It puts them all in that position. [Citation.] 'With man's relations to his Maker and the obligations he may think they impose, and the manner in which an expression shall be made by him of his belief on those subjects, no interference can be permitted, provided always the laws of society, designed to secure its peace and prosperity, and the morals of its people, are not interfered with.'" (*United States v. Ballard* (1943) 322 U.S. 78, 87)

The Establishment Clause, providing that the state "shall make no law respecting an establishment of religion ...," (First Amendment to the U.S. Constitution) was a product of religion intolerance experienced by our forebears both in Europe and in the New World. Those who came into conflict with the dominant, government-endorsed religions suffered fines, imprisonment and even death. (*Everson v. Board of Education* (1947) 330 U.S. 1, 9) In reaction to this religious intolerance, the framers of the Constitution concluded that individual religious liberty could be achieved best under a government which was stripped of all power to tax, support or otherwise assist any or all religions, or to interfere with the beliefs of any religion or group. (*Id.* 330 U.S. at 11) The Establishment Clause is far more than a mere prohibition upon the formal establishment of a state church:

> The "establishment of religion" clause of the First Amendment means at least this: Neither a state nor a federal government can set up a church. Neither can pass laws which aid one religion, aid all religions, or prefer one religion over another. Neither can force nor influence a person to go to or remain away from church against his will or force him to profess a belief or disbelief in any religion. No person can be punished for entertaining or professing religious beliefs or disbeliefs, for church attendance or non-attendance.

(330 U.S. at 15-16) Thus, the First Amendment's "anti-establishment clause" (*Wollersheim v. Church of Scientology* (1989) 212 Cal.App.3d 872, 884) guarantees citizens that the government will not use its resources to impose religion on us. (Ibid.) Since "dead agenting" Armstrong by means of "black propaganda" is an application of fair game, as is the use of the law to destroy critics, what is at issue here is Scientology's sectarian doctrine and practice to neutralize "suppressive person" defendant Armstrong. Since this strategy is being exercised by means of judicial force, the Court is preferring the Scientolological approach to Truth over the approach employed by Armstrong. Such is not only unconstitutional, it is wrong.

IV. CONCLUSION

Based on the foregoing, Defendant Gerald Armstrong respectfully requests that the motion for summary adjudication should be denied.

DATED: September 18, 1995

HUB LAW OFFICES

By:____________________________
FORD GREENE
Attorney for Defendant
GERALD ARMSTRONG

PROOF OF SERVICE

I am employed in the County of Marin, State of California. I am over the age of eighteen years and am not a party to the above entitled action. My business address is 711 Sir Francis Drake Boulevard, San Anselmo, California. I served the following documents:

DEFENDANT'S OPPOSITION TO MOTION FOR SUMMARY ADJUDICATION ON TWENTIETH CAUSE OF ACTION; ARMSTRONG'S SEPARATE STATEMENT OF DISPUTED AND UNDISPUTED FACTS IN OPPOSITION TO MOTION FOR SUMMARY ADJUDICATION OF THE TWENTIETH CAUSE OF ACTION ON THE SECOND AMENDED COMPLAINT; DEFENDANT'S EVIDENCE IN OPPOSITION TO MOTION FOR SUMMARY ADJUDICATION ON TWENTIETH CAUSE OF ACTION

on the following person(s) on the date set forth below, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid to be placed in the United States Mail at San Anselmo, California:

Andrew Wilson, Esquire BY HAND
WILSON, RYAN & CAMPILONGO
235 Montgomery Street, Suite 450
San Francisco, California 94104

LAURIE J. BARTILSON,ESQ.
Bowles & Moxon
6255 Sunset Boulevard
Suite 2000
Los Angeles, California 90028

[X] (Personal Service) I caused such envelope to be delivered by hand to the offices of the addressee.

[X] (By Mail) I caused such envelope with postage thereon fully prepaid to be placed in the United States Mail at San Anselmo, California.

[X] (State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

DATED: September 18, 1995